

Minutes

Ordinary Council Meeting



Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West, Tuesday, 27 June 2023 at 6:12 pm following the Extraordinary Development Applications Committee Meeting.

1. ATTENDANCE

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

J Bath (Chief Executive Officer), D Clarke (Executive Director Corporate Services and CFO), J Rigby (Executive Director City Infrastructure), M Bisson (Executive Director Planning and Environment), L Duffy (Acting Executive Director Creative and Community Services), E Kolatchew (Executive Manager Legal and Governance), S Moore (Executive Manager Finance, Property and Performance and Deputy CFO), R Dudgeon (Executive Manager Project Management Office), N Kaiser (Interim Executive Manager Media Engagement Economy and Corporate Affairs), M Murray (Chief of Staff), M Meehan (Senior Media Adviser), A Knowles (Councillor Services/Minutes/Meeting Support), W Haddock (AV/Information Technology Support) and K Bevan (Information Technology Trainee).

2. ACKNOWLEDGEMENT OF COUNTRY

Read at previous meeting on night.

3. PRAYER

Read at previous meeting on night.

4. APOLOGIES / LEAVE OF ABSENCE / ATTENDANCE BY AUDIO VISUAL LINK

MOTION

Moved by Cr Adamczyk, seconded by Cr Duncan

The apologies submitted on behalf of Lord Mayor, Cr Nelmes and Councillor McCabe be received and leave of absence granted.

**Carried
unanimously**

Nil requests for attendance by audio visual link.

5. DISCLOSURES OF INTEREST

Councillor Church

Councillor Church declared a less than significant, non-pecuniary interest in Item 9.3 - National Parks Estate Advocacy – 505 Minmi Road stating that his son was employed by a company that was associated with the owner of the site and managed the interest by leaving the Chamber for discussion on the item.

Councillor Clausen

Councillor Clausen declared a less than significant, non-pecuniary interest in Item 8.3 – Stage 1 of the Hunter Estuary Coastal Management Program (CMP) Completed as his employer co-funded the report with the City of Newcastle and managed the conflict by remaining in the Chamber.

Councillor Clausen

Councillor Clausen declared a potential conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reasons outlined at the Ordinary Council Meeting of 23 May 2023. He managed the conflict by remaining in the Chamber for the discussion however stated he would leave the Chamber for any discussion regarding the awarding of the tender.

Councillor Wood

Councillor Wood declared a potential non-pecuniary significant conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reason outlined at the Ordinary Council Meeting of 23 May 2023. She managed the conflict by remaining in the Chamber for the discussion however would leave the Chamber for any discussion regarding the awarding of the tender.

Councillor Duncan

Councillor Duncan declared a potential significant non-pecuniary conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reason outlined at the Ordinary Council Meeting of 23 May 2023. She managed the conflict by remaining in the Chamber for the discussion however would leave the Chamber for any discussion regarding the awarding of the tender.

Councillor Richardson

Councillor Richardson declared a potential significant non-pecuniary conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reason outlined at the Ordinary Council Meeting

of 23 May 2023. She managed the conflict by remaining in the Chamber for the discussion however would leave the Chamber for any discussion regarding the awarding of the tender.

Councillor Adamczyk

Councillor Adamczyk declared a potential significant non-pecuniary conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reason outlined at the Ordinary Council Meeting of 23 May 2023. She managed the conflict by remaining in the Chamber for the discussion however would leave the Chamber for any discussion regarding the awarding of the tender.

Councillor Winney-Baartz

Councillor Winney-Baartz declared a potential significant non-pecuniary conflict of interest in Item 10.1 – Confidential Notice of Motion to rescind a Council Resolution – Item 10.3 – CON 23/05/23 – Tender Report – Management of Inland Swimming Centres Contract No. 2022/137T for the same reason outlined at the Ordinary Council Meeting of 23 May 2023. She managed the conflict by remaining in the Chamber for the discussion however would leave the Chamber for any discussion regarding the awarding of the tender.

6. CONFIRMATION OF MINUTES

6.1. MINUTES - BRIEFING COMMITTEE 16 MAY 2023

6.2. MINUTES - ORDINARY COUNCIL MEETING 23 MAY 2023

MOTION

Moved by Cr Barrie, seconded by Cr Duncan

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

**Carried
unanimously**

7. LORD MAYORAL MINUTE

Nil.

LATE ITEMS OF BUSINESS

8.9. SOCIAL AND AFFORDABLE HOUSING ADVOCACY

The Deputy Lord Mayor advised that he had been informed of a late item of business by Councillor Adamczyk and requested Councillor Adamczyk to outline the reasons for Council to consider the late item of business.

PROCEDURAL MOTION

Moved by Cr Adamczyk, seconded by Cr Winney-Baartz

1. That the item be considered of great urgency and be considered prior to Item 8.1 on the Ordinary Council agenda, given announcements by:
 - a. the Commonwealth Government on 17 June 2023 for \$2,000,000,000 in funding, to be provided to State Governments before the end of financial year (\$610,000,000 to NSW), for the purpose of directly funding and improving planning pathways to support additional social housing; and
 - b. the NSW State Government on 15 and 19 June 2023 to increase affordable housing in major projects and improving planning pathways to provide more social and affordable housing; and
2. That the new item be considered prior to item 8.1 on the Ordinary Council agenda.

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

Against the Motion: Councillors Church, Pull and Wark.

Carried

The Deputy Lord Mayor ruled that the matter of Social and Affordable Housing Advocacy be heard as a late item of business in accordance with the Code of Meeting Practice and the reasons outlined by Councillor Adamczyk.

The late item of business was brought forward as the first item of business.

MOTION

Moved by Cr Adamczyk, seconded by Cr Winney-Baartz

That Council:

1. Welcomes the Albanese Commonwealth Government's \$2 Billion Social Housing Accelerator payment to State Governments by 30 June 2023 to deliver thousands of additional social dwellings, as part of the Government's broader housing plan (including the National Housing Accord) (Attachment A).
2. Offers the City's support as a partner with the State and Commonwealth Governments to deliver on this \$2Billion commitment, and support additional social and affordable housing in the City.
3. Reiterates the City of Newcastle's leadership in the elected Council's previous resolutions for a national solution to adequately fund, regulate, and provision affordable and social housing, including via an unanimously supported resolution to the Australian Local Government Association (ALGA) Conference

2023 on 14 June 2023, and a resolution for collaborative partnerships between all levels of government to LGNSW Conference in October 2022.

4. Welcomes steps taken by the Minns NSW Labor Government to increase affordable housing in major projects and improve planning pathways for social and affordable housing (Attachment B).
5. Notes the former elected Council's declaration of a housing affordability crisis in the City in 2021 (Attachment C) and the identified need for more than 7,000 social and affordable dwellings to be built by 2041 (Attachment D), and notes the City in 2023 is now in the top ten local government areas in NSW with the highest housing need, with 70% of low-income households experiencing rental stress and 1911 people waiting up to 10 years for social housing (Attachment E).
6. Reiterates the City of Newcastle's interest in partnering with the State and Commonwealth Governments to accelerate the delivery of additional social and affordable housing in the City in response to the housing crisis.
7. Reiterates the elected Council's action on affordable housing to date to fast track more affordable housing in the city via collaborative partnerships with community and government, with projects already completed in Wickham (Attachment F) and Waratah West (Attachment G), and under construction in Wallsend (Attachment H), and notes the elected Council's previous resolutions and work to ensure social and affordable housing is accessible and equitable.
8. Reiterates the elected Councils' adopted social and affordable housing targets of 15% on privately-owned land and 30% on government-owned land (Attachment I), noting the failure of past state and federal policies and funding commitments to secure adequate provision of safe, accessible, and affordable housing.
9. Notes with concern 187 affordable dwellings will be lost in Newcastle by the end of 2026 as they leave the National Rental Affordability Scheme (NRAS) rather than held in perpetuity as affordable housing (with all NRAS dwellings in Australia to be 'phased out' by end-2026) (Attachment J).
10. Reiterates the opportunities to achieve affordable housing via developer contributions, noting the proactive approach to delivering social and affordable housing by Councils across NSW since 1996 (through LEPs, planning agreements and SEPPs, and with and without compensatory floor space, uplift or rezoning) (e.g. Attachment K), and the City's commitment to develop an Affordable Housing Contributions Scheme under SEPP (Housing) 2021 (previously SEPP 70).
11. Writes to the Premier of New South Wales, The Hon. Chris Minns MP, and Minister for Housing and Homelessness, The Hon. Rose Jackson MLC, asking for a collaborative approach between the State Government, Councils, and local CHPs, in the delivery of any additional funding under these announcements, to;

- a. Establish and implement effective programs to fund and plan new affordable housing and provide the necessary infrastructures to support increased dwellings,
- b. Improve outcomes beyond existing local affordable housing contributions schemes and mechanisms, and
- c. Ensure affordable housing is held in perpetuity by a Community Housing Provider or in public operation and ownership.

**Carried
unanimously**

8. REPORTS

8.1. CCL 27/06/23 – ACCEPTANCE OF OFFER – NEWCASTLE ART GALLERY EXPANSION – TELSTRA ASSET RELOCATION WORKS – CONTRACT NO. 2023/156T

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

1. Not invite tenders for Contract 2023/156T - Newcastle Art Gallery Expansion Telstra Asset Relocation Works. A satisfactory result would not have been achieved through the calling of tenders as the network assets are owned by Telstra Corporation Limited (Telstra) who have exclusive rights to carry out any modifications to their network.

**Carried
unanimously**

8.6. CCL 27/06/23 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

1. Receives the Executive Monthly Performance Report for May 2023.

**Carried
unanimously**

8.2. CCL 27/06/23 – SUPPLEMENTARY REPORT – PROPOSED SALE OF OPERATIONAL LAND – 55 COWPER STREET WALLSEND

MOTION

Moved by Cr Adamczyk, seconded by Cr Richardson

That Council:

PART A:

Lays this item on the table until the following reports are received.

PART B:

Notes that:

- Major arterial road sales have occurred in the last decade by Roads and Maritime Services (RMS) and Transport for NSW (TfNSW) that have rendered unattainable any use of our road reserves beyond vehicular traffic, at significant loss to our ratepayers and the liveability and accessibility of our public spaces.
- Significant public works are scheduled to occur in Wallsend in the City's forward works program, including in the immediate proximity to this site.
- Valuable uses for our City's road reserves exist including and beyond being used to accommodate vehicular road widening for traffic (e.g. as places for verge and community gardens, urban forest and tree canopy, pollinating ecological spaces, public travel, active movement, or rest and relaxation).
- Many cities have implemented strategies for vibrant, liveable and accessible road reserves, with spaces for temporary activations and permanent uses.

PART C:

That Council notes the significant sale of public owned road reserves in Newcastle in recent years, particularly by RMS/TfNSW, which has included attempts by RMS to list for sale land owned by City of Newcastle, and:

1. Requests a report on existing road reserves across the City, owned by CN and RMS/TFNSW.
2. Requests a report summarising road reserves lost in the City of Newcastle by RMS/TfNSW sales in the last decade.
3. Prepares a plan for our road reserves, including strategic acquisitions, and temporary and permanent uses.

Councillor Pull gave notice of a foreshadowed motion that being the Officer's recommendation outlined in the business papers.

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

For the Motion: Deputy Lord Mayor, Cr Clausen, Councillors Adamczyk, Duncan, Richardson, Winney-Baartz and Wood.

Against the Motion: Councillors Barrie, Church, Mackenzie, Pull and Wark.

Carried

The foreshadowed motion from Councillor Pull lapsed.

8.3. CCL 27/06/23 – STAGE 1 OF HUNTER ESTUARY COASTAL MANAGEMENT PROGRAM (CMP) COMPLETED

MOTION

Moved by Cr Adamczyk, seconded by Cr Richardson

That Council:

1. Endorses the Hunter Estuary CMP Scoping Study per the Officer's recommendation, and commends the collaborative work done by Hunter Councils as part of HEAL to highlight the alarming state of the health of the Hunter River Estuary in Stage 1 of the CMP.
2. Notes parts of the Hunter Estuary in the City have national and international significant, including the Hunter Estuary Wetlands Ramsar site of the Hunter Wetlands National Park (Tomago and Kooragang Wetlands, Shortland Wetlands, Stockton Sandspit, Hexham Swamp), and its estuarine tributaries (e.g. Ironbark Creek, Minmi Creek, and Throsby Creek).
3. Notes with alarm that the Hunter River Estuary is the most polluted in NSW, with the upper catchment ranking 160th out of 160 estuaries, and the lower catchment ranking 124th out of 160.
4. Notes specific activities compromising the integrity of the Estuary including for example:
 - a) Contamination of the Estuary and into Fullerton Cove through PFAS.
 - b) Runoff and licensed industrial discharges placing stress on the ecosystem
 - c) Intensive residential development in the Minmi Creek catchment
5. Notes that the scale of the issue is beyond the means of only local governments to resolve alone to "heal the estuary" (Scoping Report, p.105).
6. Notes City of Newcastle's significant funding contribution to Hunter Estuary catchment health, including \$4.2 million to be paid by Newcastle ratepayers for

the Hunter Catchment Contribution Levy in 2023/24 (a 56% increase on the \$2.69M levied in 2022/23).

7. Calls for a review of governance by the NSW Government and reinstatement of the dedicated Hunter Catchment Management Authority, or alternative equivalent government agency, tasked with improving the health of the Hunter River Estuary, and
8. Writes to the Minister for the Hunter, The Hon. Tim Crakanthorp MP and the Minister for the Environment, The Hon Penny Sharpe MLC, requesting their assistance with state leadership, coordination and oversight to urgently rectify this situation.

**Carried
unanimously**

8.4. CCL 27/06/23 – MAKING OF THE RATE AND CHARGES FOR 2023/24

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Richardson

That Council:

1. Makes the following Rates and Charges for the 2023/24 financial year:

	RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT	ESTIMATED RATE YIELD P.A. \$'s
			\$	% of Total Rates	
Ordinary Rates					
Residential	Nil	0.163421	851.89	50	115,195,719
Farmland	\$1,176.70	0.201123	Nil	Nil	21,402
Business	\$1,176.70	1.012511	Nil	Nil	47,086,110
Business Sub-Categories					
Major Commercial Shopping Centre - Kotara	\$1,176.70	4.302395	Nil	Nil	1,720,958
Major Commercial Shopping Centre – Jesmond	\$1,176.70	3.462694	Nil	Nil	675,225
Major Commercial Shopping Centre – Waratah	\$1,176.70	3.830839	Nil	Nil	475,024
Major Commercial Shopping Centre – Wallsend	\$1,176.70	4.310374	Nil	Nil	478,451

	RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT	ESTIMATED RATE YIELD P.A. \$'s
Major Commercial Shopping Centre – The Junction	\$1,176.70	2.948649	Nil	Nil	253,879
Major Commercial Shopping Centre – Inner City	\$1,176.70	0.940369	Nil	Nil	253,900
Major Commercial Shopping Centre (Inner City-East)	\$1,176.70	1.269487	Nil	Nil	96,100
Suburban Shopping Centre – Hamilton	\$1,176.70	1.363555	Nil	Nil	65,996
Suburban Shopping Centre – Inner City	\$1,176.70	1.544077	Nil	Nil	128,158
Suburban Shopping Centre	\$1,176.70	2.456441	Nil	Nil	226,729
Suburban Shopping Centre – Mayfield	\$1,176.70	1.643699	Nil	Nil	202,175
Kotara – Homemaker's Centre	\$1,176.70	0.946484	Nil	Nil	324,590
Kotara – Homemaker's Centre - South Zone	\$1,176.70	1.553338	Nil	Nil	352,608
Kooragang Industrial Coal Zone	\$1,176.70	1.346175	Nil	Nil	737,042
Kooragang North Industrial Coal Zone	\$1,176.70	2.007323	Nil	Nil	1,646,005
Kooragang Industrial Centre - Walsh Point	\$1,176.70	1.447121	Nil	Nil	2,468,904
Kooragang Industrial Centre	\$1,176.70	1.262646	Nil	Nil	1,156,877
Mayfield West Storage Units	\$588.35	1.317984	Nil	Nil	51,451
Mayfield West Industrial Centre	\$1,176.70	0.703175	Nil	Nil	28,127
Mayfield North Heavy Industrial Centre	\$1,176.70	0.785322	Nil	Nil	672,000
Mayfield North Industrial Centre	\$1,176.70	1.036230	Nil	Nil	539,830
Mayfield North Industrial Centre - Future Development	\$1,176.70	1.246126	Nil	Nil	411,221
Carrington Industrial Port and Coal Zone	\$1,176.70	2.553828	Nil	Nil	1,034,300

This is page 10 of the Minutes of the Ordinary Council Meeting held Council Chamber, Level 1, City Administration Centre, 12 Stewart Avenue, Newcastle West on Tuesday, 27 June 2023 at 6:12pm.

	RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT	ESTIMATED RATE YIELD P.A. \$'s
Carrington Industrial Centre	\$1,176.70	1.447440	Nil	Nil	1,570,954
Carrington Industrial Port Operations Use	\$1,176.70	1.879549	Nil	Nil	930,565
Broadmeadow Industrial Centre	\$1,176.70	2.107581	Nil	Nil	180,620
Hexham Industrial Centre	\$1,176.70	1.013997	Nil	Nil	1,117,193
Special Rates					
Hunter Mall	Nil	0.134128	Nil	Nil	83,725
Mayfield Business District	Nil	0.068342	Nil	Nil	85,389
Hamilton Business District - Zone A	Nil	0.123164	Nil	Nil	100,117
Hamilton Business District - Zone B	Nil	0.061582	Nil	Nil	36,287
Hamilton Business District - Zone C	Nil	0.030791	Nil	Nil	14,740
Wallsend Business District - Zone A	Nil	0.278807	Nil	Nil	123,116
Wallsend Business District - Zone B	Nil	0.139404	Nil	Nil	15,910
Wallsend Business District - Zone C	Nil	0.209105	Nil	Nil	23,211
New Lambton Business District	Nil	0.072397	Nil	Nil	16,343
City Centre - City East	Nil	0.173930	Nil	Nil	191,185
City Centre - Darby Street	Nil	0.039820	Nil	Nil	36,403
City Centre - City West (Close Zone)	Nil	0.061057	Nil	Nil	262,378
City Centre - City West (Distant Zone)	Nil	0.030529	Nil	Nil	16,620
City Centre – Tower	Nil	0.173930	Nil	Nil	184,888
City Centre – Mall	Nil	0.173930	Nil	Nil	114,433
City Centre – Civic (Close Zone)	Nil	0.090390	Nil	Nil	111,447
City Centre – Civic (Distant Zone)	Nil	0.045195	Nil	Nil	6,737

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	RATE	MINIMUM RATE	AD Valorem Amount Cents in \$	BASE AMOUNT	ESTIMATED RATE YIELD P.A. \$'s
TOTAL					181,525,042

2. An Ordinary Rate of zero point one six three four two one (0.163421c) in the dollar with a 50% base amount of eight hundred and fifty one dollars and eighty nine cents (\$851.89) named **RESIDENTIAL**, apply to all rateable land in City of Newcastle (CN) Local Government Area (LGA) categorised as Residential.
3. An Ordinary Rate of zero point two zero one one two three cents (0.201123c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **FARMLAND**, apply to all rateable land in CN LGA categorised as Farmland.
4. An Ordinary Rate of one point zero one two five one one cents (1.012511c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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, Mayfield West Industrial Centre, 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 four point three zero two three nine five cents (4.302395c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - KOTARA**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Kotara located on a site of greater than eight hectares (80,000m²), providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of forty (40) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Kotara.

6. An Ordinary Rate of three point four six two six nine four cents (3.462694c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - JESMOND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Jesmond providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Jesmond.
7. An Ordinary Rate of three point eight three zero eight three nine cents (3.830839c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WARATAH**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Waratah providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Waratah.
8. An Ordinary Rate of four point three one zero three seven four cents (4.310374c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - WALLSEND**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of Wallsend providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of twenty (20) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - Wallsend.
9. An Ordinary Rate of two point nine four eight six four nine cents (2.948649c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS - MAJOR COMMERCIAL SHOPPING CENTRES - THE JUNCTION**, apply to all rateable land in CN LGA, being utilised as a Major Commercial Shopping Centre. "Major Commercial Shopping Centre" being defined as a centre of commercial activity within the suburb of The Junction providing at least six thousand square metres (6,000m²) of floor space and which incorporates a major anchor tenant trading as a supermarket outlet together with a minimum of fifteen (15) specialty stores and service outlets. This land is categorised as Sub-Category Business - Major Commercial Shopping Centres - The Junction.
10. An Ordinary Rate of zero point nine four zero three six nine cents (0.940369c) in the dollar with a minimum rate of one thousand one hundred and seventy six

dollars and seventy cents (\$1,176.70) 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 two six nine four eight seven cents (1.269487c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 two point four five six four four one cents (2.456441c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES**, apply to all rateable land in CN LGA, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 6000m2 which operates and has a dominant use as a Supermarket excepting the land categorised as Major Commercial Shopping Centres - Kotara, Major Commercial Shopping Centres – Jesmond, Major Commercial Shopping Centres – Waratah, Major Commercial Shopping Centres - Wallsend, Major Commercial Shopping Centres – The Junction, Major Commercial Centres (Inner City), Major Commercial Centres (Inner City-East), Suburban Shopping Centre – Mayfield or Suburban Shopping Centre - Hamilton. This land is categorised as Sub-category Business - Suburban Shopping Centres.
13. An Ordinary Rate of one point five four four zero seven seven cents (1.544077c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – SUBURBAN SHOPPING CENTRES – INNER CITY**, apply to all rateable land in CN LGA, being utilised as an Inner City Suburban Shopping Centre. "Inner City Suburban Shopping Centre" being defined as a centre of commercial activity within the suburb of Newcastle West situated on a site of greater than four thousand and nine hundred square metres (4,900m2) which operates as a Supermarket excepting the land categorised as Major Commercial Centres (Inner City) or Major Commercial Centres (Inner City-East). This land is categorised as Sub-category Business - Suburban Shopping Centres – Inner City.
14. An Ordinary Rate of one point three six three five five five cents (1.363555c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 one point six four three six nine nine cents (1.643699c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – SUBURBAN SHOPPING CENTRE – MAYFIELD** apply to all rateable land within the suburb of at Mayfield, being utilised as a Suburban Shopping Centre. "Suburban Shopping Centre" being defined as a centre of commercial activity situated on a site of greater than 1 Hectare (10,000m²) with a minimum 4,000m² of floorspace which operates as a Supermarket. This land is categorised as sub-category Business – Suburban Shopping Centre - Mayfield.
16. An Ordinary Rate of zero point nine four six four eight four cents (0.946484c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 five five three three three eight cents (1.553338c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 three four six one seven five cents (1.346175c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 zero zero seven three two three cents (2.007323c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 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 one point four four seven one two one cents (1.447121c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – KOORAGANG INDUSTRIAL CENTRE WALSH POINT** apply to all ratable land in CN LGA within the centre of activity defined by the suburb of Kooragang being Lots 1 and 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 two six two six four six cents (1.262646c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 zero point seven eight five three two two cents (0.785322c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 zero three six two three zero cents (1.036230c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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, Lot 4 DP 1095751 and Lot 11 DP 625019. This land is categorised as sub-category Business - Mayfield North Industrial Centre.
24. An Ordinary Rate of one point two four six one two six cents (1.246126c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 one point three one seven nine eight four cents (1.317984c) in the dollar with a minimum rate of five hundred and eight eight dollars and thirty five cents (\$588.35) 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 zero point seven zero three one seven five cents (0.703175c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – MAYFIELD WEST INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by Lot 1 DP 874109. This land is categorised as sub-category Business - Mayfield West Industrial Centre.
27. **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 and the land contained within Railway Land Lease reference number 115/75/2261. This land is categorised as sub-category Business - Carrington Industrial Coal and Port Zone.
28. An Ordinary Rate of one point eight seven nine five four nine cents (1.879549c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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 8345723, Lots 3, 4 DP 1104199, Lots 1, 2, 3 DP 1187068, Lot 30 DP 1190075, Lots 8, 11 DP 1190231, Lots 13-16 DP 1190232, Lots 110, 111, 113 DP 1191911, Lots 91-93 DP 1193181, Lots 1-3 DP 1195231, Lots 219, 220 DP 1195310, Lots 1-3 DP 1218150. This land is categorised as sub-category Business - Carrington Industrial Port Operations Use.

29. An Ordinary Rate of one point four four seven four four zero cents (1.447440c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) named **BUSINESS – CARRINGTON INDUSTRIAL CENTRE** apply to all rateable land in CN LGA within the centre of activity defined by all land with an area of greater than than six hundred square metres (600m²) and zoned SP1 – Special Activities under the State Environmental Planning Policy (Three Ports) 2013 and located within the suburb of Carrington and including 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.
30. An Ordinary Rate of two point one zero seven five eight one cents (2.107581c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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.
31. An Ordinary Rate of one point zero one three nine nine seven cents (1.013997c) in the dollar with a minimum rate of one thousand one hundred and seventy six dollars and seventy cents (\$1,176.70) 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. 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.
32. A Special Rate of zero point one three four one two eight cents (0.134128c) 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.
33. A Special Rate of zero point zero six eight three four two cents (0.068342c) 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.

34. A Special Rate of zero point one two three one six four cents (0.123164c) 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.
35. A Special Rate of zero point zero six one five eight two cents (0.061582c) 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.
36. A Special Rate of zero point zero three zero seven nine one cents (0.030791c) 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.
37. A Special Rate of zero point two seven eight eight zero seven cents (0.278807c) 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.
38. A Special Rate of zero point one three nine four zero four cents (0.139404c) 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.
39. A Special Rate of zero point two zero nine one zero five cents (0.209105c) 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.

40. A Special Rate of zero point zero seven two three nine seven cents (0.072397c) 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.
41. A Special Rate of zero point one seven three nine three zero cents (0.173930c) 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.
42. A Special Rate of zero point zero three nine eight two zero cents (0.039820c) 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.
43. A Special Rate of zero point zero six one zero five seven cents (0.061057c) 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.
44. A Special Rate of zero point zero three zero five two nine cents (0.030529c) 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.

45. A Special Rate of zero point one seven three nine three zero cents (0.173930c) 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.
46. A Special Rate of zero point one seven three nine three zero cents (0.173930c) 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.
47. A Special Rate of zero point zero nine zero three nine zero cents (0.090390c) 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.
48. A Special Rate of zero point zero four five one nine five cents (0.045195c) 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.
49. 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.
50. A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres (350m²) or part thereof, of land area 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 52.

51. A **STORMWATER MANAGEMENT SERVICE CHARGE** of twenty five dollars (\$25.00) per three hundred and fifty square metres 350m² or part thereof, of land area occupied by the strata scheme, capped at a maximum of \$5,000, divided between each unit based on the unit entitlement of each business lot divided by the total unit entitlement of strata lots within the scheme. This charge applies to all strata title or company title rateable land categorised as Business where the dominant use of the strata development is for business purposes, not being an exclusion as outlined in Section 496A(2) of the Act as amended.
52. A **STORMWATER MANAGEMENT SERVICE CHARGE** of twelve dollars and fifty cents (\$12.50) per three hundred and fifty square metres (350m²) or part thereof, of land area capped at a maximum of \$2,500 for each non-strata property. This charge shall only apply where a business property's storm water is not discharged to a storm water pipeline that is reliant on a downstream network that CN has a proportion of the ownership of, and maintenance responsibility for. This charge applies to non-strata title or non-company title rateable land categorised as Business or sub-categorised as one of the Business sub-categories referred to in the table within paragraph 1 of this report not being an exclusion as outlined in Section 496A(2) of the Act as amended.
53. A **DOMESTIC WASTE MANAGEMENT SERVICE CHARGE** of five hundred and seven dollars and zero cents (\$507.00) for the provision of domestic waste management services for each parcel of rateable land for which the service is available in CN LGA.
54. A **BUSINESS WASTE MANAGEMENT SERVICE CHARGE** of two hundred and ninety eight dollars and zero cents (\$298.00) 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
unanimously**

8.5. CCL 27/06/23 – INTEREST ON OVERDUE RATES AND CHARGES FOR 2023/24

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Wark

That Council:

1. Adopts the rate of 9.0% per annum on interest on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive).
2. Notes that interest is waived for ratepayers who on the basis of financial hardship, enter into an agreement to pay outstanding rates over a period of time.

AMENDMENT

Moved by Cr Barrie, seconded by Cr Pull

That Council:

1. Maintain the rate of 6.0% per annum on interest on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive).

For the Amendment: Councillors Barrie, Church, Pull and Wark.

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

Defeated

The motion moved by Councillor Winney-Baartz and seconded by Councillor Wark was put to the meeting.

Carried

8.7. CCL 27/06/23 - TENDER REPORT - BIENNIAL HIRE OF PLANT TRUCKS AND EQUIPMENT - CONTRACT 2023/120T

MOTION

Moved by Cr Adamczyk, seconded by Cr Duncan

That Council:

1. Accepts the 51 tenders stated in Attachment B and Council awards separate contracts to each of the tenderers stated in Attachment B in line with the rates and charges offered by each tenderer for Biennial Hire of Plant, Trucks and Equipment for Contract No. 2023/120T.
2. The confidential attachments relating to the matters specified in s10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

Carried

8.8. CCL 27/06/23 - TENDER REPORT - CONSTRUCTION OF OPERATIONAL AREA FOR RECYCLED MATERIALS TRANSFER AT SUMMERHILL WASTE MANAGEMENT CENTRE – CONTRACT NO. 2023/119T

MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

At Attachment A:

That Council:

1. Accept the tender of Ironbuilt Infrastructure Pty Ltd in the amount of \$1,847,176 (excluding GST) for Construction of the Operational Area for Recycled Materials Transfer at Summerhill Waste Management Centre for Contract No. 2023/119T.
2. The confidential attachments relating to the matters specified in s10A(2)(d) of the *Local Government Act 1993* be treated as confidential and remain confidential until the Chief Executive Officer determines otherwise.

**Carried
unanimously**

9. NOTICES OF MOTION

9.1. NOM 27/06/23 - PEDESTRIAN CROSSINGS

MOTION

Moved by Cr Duncan, seconded by Cr Winney-Baartz

That City of Newcastle:

1. Notes Transport for NSW recently released a temporary delegation to Councils for minor works under the Roads Act 1993 and Road Transport Act 2013 to provide Councils with an alternative approval pathway for certain types of pedestrian works. Under the revised delegation, Councils can approve and implement selected pedestrian works without needing to seek concurrence, approval or input from TfNSW, nor approval from Local Traffic Committees (Fact Sheet at **Attachment A**)
2. Consistent with the new delegation and accompanying TfNSW pedestrian crossing guideline, Council develops a Newcastle Local Pedestrian Crossing Policy with the objectives of contributing to road safety outcomes, improving amenity for pedestrians and cyclists, supporting council's integrated public transport vision, supporting our placemaking vision, and delivering fair, transparent and consistent management of traffic for all road users
3. Notes feedback from the community about the need for pedestrian crossings in local areas across the City. Alongside the development of a Local Pedestrian Crossing Policy, explores the delivery of new crossings at:
 - a. Around the boundary streets of Newcastle High School (noting need for concurrence from School Infrastructure NSW)
 - b. Dixon Park, Cnr Livingston and Helen Streets, Merewether
 - c. Cnr of Berner and Ocean Street to meet the new footpath and connection with new pedestrian crossing on Frederick Street
 - d. Richardson Park, Cnr Chatham Rd and Donald St, Hamilton North

- e. Centennial Park, Cnr Tooke St and Dawson St, Cooks Hill
- f. Cnr Kerr St and Maitland Road Mayfield, raised pedestrian crossing and need for improved lighting
- g. Orchardtown Rd and/or Birdwood St, New Lambton to provide connection to new infrastructure at Blackbutt Local Centre, connection to/from Novocastrian Park and connection towards local schools
- h. Wallarah Rd, New Lambton to provide safe a passage from Skate Park to shared pathway on Monash Pde, New Lambton
- i. Woodford St, at Minmi Public School (noting planning and in-principle agreement between CN and the NSW State Government was secured in September 2022)
- j. Croudace Rd near Garsdale Ave, Elmore Vale, to provide safe passage between Walker fields, local shopping centre, Men's Shed, and nearby early learning centre and schools
- k. William St, north of Bryant St, Tighes Hill, repair, upgrade, compliant kerb ramp, improved drainage, street lighting, signage and road markings.

Councillor Mackenzie referred to Council's resolution of 26 July 2022, Item 24 – Notice of Motion – William Street Pedestrian Crossing, Tighes Hill, and that the planning and detailed design would be finished by the end of the year. An update on the proposal was taken on notice by the Chief Executive Officer.

**Carried
unanimously**

9.2. NOM 27/06/23 – NEWCASTLE INNER CITY BYPASS – FURTHER ADVOCACY

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Adamczyk

1. Notes that construction is underway on the long-awaited final stage of the Newcastle Inner City Bypass. The project is being primarily funded by the Commonwealth Government (80% funding) and delivered by the NSW Government (20% funding).
2. Notes the constructive advocacy role CN has played in the delivery of this project, including multiple motions of the elected council which were successful in protecting the East-West cycleway connections, removal of the proposed construction compound from Peatties Road, and ensuring the delivery of a full interchange at John Hunter Hospital.
3. Reiterates the need for further refinement to the project before it is completed including the need for a dedicated corridor for active transport, bus rapid transport and future light rail between the John Hunter Hospital and University

of Newcastle as part of the project; and opportunities for refinements to minimise biodiversity and habitat losses.

4. Notes that it is not too late for these items to be included within the scope of the project, and that the costs of delivering this infrastructure now will be substantially less than attempting to retrofit into the future road.
5. Writes to the Member for Wallsend (Hon Sonia Horner) and copies to:
 - The Hon. Joanna Hayle, Minister for Transport,
 - The Hon. John Graham, Minister for Roads,
 - The Hon. Jenny Aitchison, Minister for Regional Transport and Roads,
 - The Hon. Tim Crakanthorp, Minister for the Hunter, and
 - The Hon. Penny Sharpe, Minister for the Environment,

calling on the newly elected NSW Government to urgently review these aspects of the project, to ensure the opportunity to deliver a meaningful active and public transport connection between two of the City's main catalyst sites (JHH and UON) is not lost due to the short-sightedness of the previous Coalition State Government.

Councillor Pull moved an amendment that Council also write to the Shadow Ministers of the above Ministries omitting reference to "due to the short-sightedness of the previous Coalition State Government."

The mover and seconder of the motion accepted Councillor Pull's amendment to the motion.

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

**Carried
unanimously**

9.3. NOM 27/06/23 – NATIONAL PARKS ESTATE ADVOCACY - 505 MINMI ROAD

Councillor Church left the Chamber for discussion on the item.

MOTION

Moved by Cr Adamczyk, seconded by Cr Duncan

That City of Newcastle

1. Reiterates the elected Councils' many previous resolutions calling for the protection of the Green Corridor and specifically on the importance of 505 Minmi Road within the Green Corridor to regional biodiversity, noting the opportunity to incorporate the land into the neighbouring Blue Gum Hills Regional Park with just terms compensation to the existing landowner.
2. Notes that development currently underway in this area was approved by the Land and Environment Court, not City of Newcastle, and reiterates the

Council's longstanding advocacy for protecting the Green Corridor. The NSW Government's HCCRPP recently refused a development on land neighbouring 505 Minmi Road due, in part, to the impact on the road network.

3. Welcomes the election commitment of the new NSW Labor Government to investigate protecting 505 Minmi Road in perpetuity as part of the National Park Estate (Newcastle Herald, 24 March 2023 – **Attachment A**).
4. Publicly addresses the inaccurate information in responses to Council from the Department of Planning and Environment (dated 10 January 2023) regarding the inclusion of 505 Minmi Road in the Hunter Regional Plan 2041, and notes CN's comprehensive letter dated 26 May 2023 in response to the Amended Planning Proposal of 29 March 2023 (**Attachment B**).
5. Writes to the Member for Wallsend Deputy Speaker of the Legislative Assembly, The Hon. Sonia Hornery MP, The Hon. Tim Crakanthorp, Minister for the Hunter and The Hon. Penny Sharpe, Minister for the Environment calling for the urgent implementation of the Government's Election Commitment to investigate the protection of 505 Minmi Rd for conservation in the National Park Estate, reiterating the elected Council's strong support for this option to permanently protect the Green Corridor.

Carried

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

9.4. NOM 27/06/23 – ENDOMETRIOSIS AND PELVIC PAIN CLINICS

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Wood

That City of Newcastle

1. Notes and applauds the announcement on 22 March 2023 that the Albanese Labor Government will be delivering Australia's first Endometriosis and Pelvic Pain Clinics across all states and territories as part of the Labor Governments \$58.3 million commitment to these clinics.
2. Notes that in New South Wales these first clinics were announced in Orange, Hunters Hill, Leichhardt, Mittagong, Milton and Coffs Harbour.
3. Writes to Federal Member for Newcastle and Deputy Speaker, Ms Sharon Claydon MP, The Hon Mark Butler MP, Minister for Health and Aged Care, and The Hon Ged Kearney MP, Assistant Minister for Health and Aged Care advocating for Newcastle to be included in any subsequent funding for further clinics.

4. Works with local health specialists to ensure that this advocacy is well supported by our world-renowned local health specialists.

**Carried
unanimously**

9.5. NOM 27/06/23 - SUPERCARS 500 AND CLIMATE CHANGE

MOTION

Moved by Cr Mackenzie, seconded by Cr Church

That City of Newcastle

1. Notes the preceding commitments by the City of Newcastle to addressing climate change, as demonstrated by the Newcastle Climate Action Plan 2021-2025 and the consensus Council commitment to the goal of 30% reduction in city-wide emissions by 2025.
2. Notes further the objective of the Newcastle Climate Action Plan 2021-25 to “create a resilient city that reduces its share of emissions to ensure a cleaner and more sustainable future”.
3. Notes the unanimous resolution of Council in November 2017 to “engage 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.” To date, no event impact assessment has considered the environmental benefits and costs of the Newcastle 500.
4. Consistent with the commitment to action on climate change,
 - a. Assess the environmental impact on the Newcastle LGA of each of the Newcastle Supercar 500 events held so far, with specific consideration of the climate and air pollution impacts.
 - b. Ensure that consideration of the climate and air pollution impacts include:
5. The CO2 emissions during all three phases of the event: bump-in, 3-day event, bump-out, including emissions from all associated vehicle movements and associated machinery required for the event such as generators; and
6. Emissions of other relevant air pollutants including particulates PM 2.5 and PM10, noxious gases such as nitrogen and sulfur oxides.
7. Include the assessment of environmental impacts of the Newcastle 500 event in the report to Councillors to inform the decision-making process for a potential five-year extension of the Newcastle 500, which also includes the results from the community consultation.

AMENDMENT

Moved by Cr Duncan, seconded by Cr Wood

That Council:

1. Notes the objective of the Newcastle Climate Action Plan 2021-25 to “create a resilient city that reduces its share of emissions to ensure a cleaner and more sustainable future” which includes a 'City Aspirational Goal for 2025' of a 30% reduction in city-wide emissions.
2. Notes that Destination NSW has not provided Council with a requested 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 2017 Newcastle 500 event, as requested by the Council in October 2017."
3. Notes that the NSW Government and Supercars Australia are yet to commit to any extension of the Newcastle 500, with the final decision subject to Council endorsement.
4. Notes that Supercars has since 2009 been run on plant based E85 (85% ethanol, 15% unleaded petrol) and in 2023 moved to E75, which is second-generation bio ethanol, derived from the waste products of wheat processing that doesn't impact the grain's food stock.
5. Notes that the NSW Government via the EPA provides hourly air quality data for Newcastle, including Newcastle East, that measures particles (PM10, PM2.5), sulfur dioxide (SO₂), carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂) and visibility. This data is publicly available via the EPA's website.
6. Further notes that data captured by the NSW Government confirms that during the Newcastle 500 on Saturday 11 March 2023, nitrogen oxides (NO_x) and sulphur oxides (SO_x) levels in Newcastle East were lower than those elsewhere in the LGA.
7. Notes Council's previous resolved support for the electrification of Supercars, and opportunity to utilise Supercars to promote the use of public transport and electric vehicles in the city.

For the Amendment: Deputy Lord Mayor, Cr Clausen and Councillors Adamczyk, Duncan, Richardson, Winney-Baartz and Wood.

Against the Amendment: Councillors Barrie, Church, Mackenzie, Pull and Wark.

Carried

The amendment moved by Councillor Duncan, seconded by Councillor Wood became the motion and was put to the meeting.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Adamczyk, Duncan, Pull, Richardson, Winney-Baartz and Wood.

Against the Motion: Councillors Barrie, Church, Mackenzie and Wark.

Carried

9.6. NOM 27/06/23 - INVITATION TO THE NSW LOCAL GOVERNMENT MINISTER

MOTION

Moved by Cr Mackenzie, seconded by Cr Pull

That the City of Newcastle:

1. Notes with disappointment the comments made by the NSW Minister for Local Government The Hon. Ron Hoenig in the NSW Legislative Assembly on 30th May 2023 (refer NOM 9.6 - 27 June 2023).
2. Notes the continuing achievement of excellence in the City of Newcastle's financial reporting, including the unqualified audit opinion for the last financial year as reported in the state-wide assessment by the NSW Audit Office, published 13 June 2023.
3. Writes to and invites The Hon. Minister Hoenig to a roundtable meeting of Councillors and financial management staff at the City of Newcastle to provide a full and complete account of the City's financial management and long-term financial planning, in the interest of a productive working relationship based on consultation and mutual respect.

AMENDMENT

Moved by Deputy Lord Mayor, Cr Clausen, seconded by Cr Adamczyk

3. Notes Council's unanimous invitation to host a Local Government Summit with Minister Hoenig.

Carried

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

**Carried
unanimously**

10. CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Mackenzie, seconded by Cr Adamczyk

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

Councillor Pull raised a point of order if a 'motion to close' the meeting was a procedural motion and whether he had the opportunity to speak to the motion.

The Deputy Lord Mayor received legal advice and ruled that the motion was a procedural motion and needed to be put to the meeting without debate.

Councillor Pull moved dissent against the Deputy Lord Mayor's ruling.

MOTION OF DISSENT

Moved by Cr Pull, seconded Cr Barrie

Move dissent against the Deputy Lord Mayor's ruling.

For the Motion of dissent: Councillors Barrie, Church, Mackenzie, Pull and Wark.

Against the Motion of dissent: Deputy Lord Mayor, Cr Clausen and Councillors Adamczyk, Duncan, Richardson, Winney-Baartz and Wood.

Defeated

The procedural motion to move into confidential session moved by Councillor Mackenzie and seconded by Councillor Adamczyk was put to the meeting.

For the Procedural Motion: Deputy Lord Mayor, Cr Clausen and Councillors Adamczyk, Duncan, Mackenzie, Richardson, Winney-Baartz and Wood.

Against the Procedural Motion: Councillors Barrie, Church, Pull and Wark.

Carried

Council moved into confidential session at 8.50pm.

PROCEDURAL MOTION

Moved by Cr Pull, seconded by Cr Mackenzie

That Council move out of confidential session.

Carried

Council reconvened at 9.20pm and the Chief Executive Officer reported the resolutions of the partial confidential reports (refer resolutions at 8.7 and 8.8) and confidential item below.

10.1. NOM 27/06/23 - CONFIDENTIAL NOTICE OF MOTION TO RESCIND A COUNCIL RESOLUTION - ITEM 10.3 - CON 23/05/23 - TENDER REPORT - MANAGEMENT OF INLAND SWIMMING CENTRES CONTRACT NO. 2022/137T

The Notice of Motion to rescind Council's resolution of 23 May 2023 to delegate to the Chief Executive Officer authority to determine the award of the tender for Contract No. 2022/137T was defeated.

MOTION

Moved by Deputy Lord Mayor, Cr Clausen, seconded by Cr Duncan

That Council:

1. Notes that concerns were raised directly with the relevant NSW Member of Parliament as early as 1 September 2022 regarding the inappropriateness of the Member's demands, and that they were creating circumstances to manipulate the process and cause conflicts of interest for Councillors. Despite repeated warnings, the inappropriate contact continued.
2. Notes that the Member, while previously a Councillor, voted in support of a Pool Service Delivery Model which foreshadowed the closure of three of Newcastle's five public pools, and supported multiple resolutions that partially outsourced operations at Lambton Pool
3. Notes that City of Newcastle did not receive any state funding commitments to assist it in upgrading its pools, despite \$310 million being committed to public pools elsewhere in NSW during the recent election
4. Despite this, notes the leadership of this elected council in unanimously adopting a 20 Year Inland Pool Strategy which commits the City to protecting and enhancing all five of the City's public pools now and into the future
5. Notes that the Member has repeatedly been offered formal meetings and briefings on pools and the pool strategy, but has declined these requests, in favour of direct instruction to Labor and non-Labor Councillors. Opportunities to meet with the CEO were ignored as recently as 9 June 2023
6. Notes that the misinformed position of the Member is inconsistent with their own decisions, and that of the Government they represent. It is one thing to baselessly attack CN, but quite another to take no action to reverse the loss of local jobs and services under the State's direct area of responsibility.
7. Notes the importance of a strong Code of Conduct, with clear conflict of interest management procedures to ensure due process and probity in Government decision making, and that conflicts of interest cannot be ignored for convenience or political outcomes;
8. Reiterates the previous comprehensive declarations made by impacted Councillors, and subsequent correspondence from the corruption prevention division of the NSW ICAC which confirms the appropriate and 'pragmatic' way in which Councillors managed the conflict of interest to prevent undue influence on a government tender process
9. Expresses disappointment with the damaging statements made under Parliamentary Privilege in the NSW Parliament regarding this issue, including on the day the decision was due to be made by Councillors, and the categorically incorrect claims about public health and safety, and the inappropriateness of recklessly raising these false rumours in Parliament without seeking clarification first from CN or NSW Health.

For the Motion: Deputy Lord Mayor, Cr Clausen and Councillors Adamczyk, Duncan, Richardson, Winney-Baartz and Wood.

Against the Motion: Councillors Barrie, Church, Mackenzie, Pull and Wark.

Carried

The meeting concluded at 9.25pm.