

CITY OF NEWCASTLE

Minutes of the Ordinary Council Meeting held in the Council Chambers, Level 1, City Administration Centre, 12 Stewart Avenue on Tuesday 23 February 2021 at 6.15pm.

PRESENT

The Lord Mayor (Councillor N Nelmes), Councillors M Byrne, J Church, D Clausen, C Duncan, B Luke (*retired 9.00pm*), J Mackenzie, A Rufo, E White and P Winney-Baartz.

IN ATTENDANCE

J Bath (Chief Executive Officer), D Clarke (Director Governance), B Smith (Director Strategy and Engagement), F Leatham (Director People and Culture), A Jones (Director City Wide Services), E Kolatchew (Manager Legal), M Bisson (Manager Regulatory, Planning and Assessment), S Moore (Acting Chief Financial Officer), M Murray (Chief of Staff), J Vescio (Executive Officer), E Dowswell (Media Advisor), L Zoneff (Media Advisor), E Horder (Councillor Services/Minutes), A Knowles (Councillor Services/Meeting Support) and G Axelsson (Information Technology Support).

MESSAGE OF ACKNOWLEDGEMENT

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

PRAYER

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

The Lord Mayor noted with sadness the passing of Tony Cade, CEO of HunterNet, member of the City of Newcastle COVID-19 Taskforce and respected advocate for advanced manufacturing, engineering and defence services.

APOLOGIES

MOTION

Moved by Cr Byrne, seconded by Cr Rufo

The apologies submitted on behalf of Councillors Elliott, Dunn and Robinson be received and leave of absence granted.

Carried

DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

Councillor White

Councillor White declared a significant non-pecuniary interest in Notice of Motion Item 1 – Permanently Raise the Rate stating that as per her previous declarations the item was in direct conflict with her employment contract and she would manage the conflict by leaving the Chamber for discussion on the item.

PROCEDURAL MOTION

Moved by Cr Rufo, seconded by Cr Duncan

That the meeting be adjourned.

Carried

The meeting adjourned at 6.18pm.

Council reconvened at 6.35pm.

CONFIRMATION OF PREVIOUS MINUTES

MINUTES - PUBLIC VOICE COMMITTEE 1 DECEMBER 2020

MINUTES - BRIEFING COMMITTEE 1 DECEMBER 2020

MINUTES - ORDINARY COUNCIL MEETING 8 DECEMBER 2020

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

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

**Carried
unanimously**

LORD MAYORAL MINUTE

ITEM 1 LMM 23/02/21 - INAUGURAL NEW ANNUAL FESTIVAL SUCCESS

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that our inaugural 10-day cultural festival New Annual was held across the City between 12-21 February 2021, attracting over 30,000 people, cementing Newcastle's status as a hub of creativity and culture;
- 2 Acknowledges that more than 500 artists and 250 staff, crew and volunteers were involved in the delivery of New Annual, ensuring the festival delivered a strong economic boost to the local arts sector and that the festival was proud to collaborate with several existing events and festivals, including Newcastle Writer's Festival, This is Not Art (TiNA) festival, Big Picture Fest, The Olive Tree Market, and Micro Theatre festival.
- 3 Notes that more than 28 ticketed COVID Safe sessions and hands-on workshops were sold out or at capacity during New Annual;
- 4 Acknowledge that New Annual drew visitors from the surrounding regions, around the state and further afield including Queensland and Victoria.

- 5 Notes initial data that indicate New Annual coincided with improved vacancy rates among local accommodation providers, with initial figures from the Australian Accommodation Monitor Reports showing a 13 per cent rise in bookings and 37 per cent jump in accommodation revenues during the first Friday and Saturday night of New Annual when compared to the corresponding period last year (prior to the introduction of COVID-19 restrictions).
- 6 Congratulates our amazing local artists for embracing New Annual, and helping the City to create truly world-class arts and cultural festival for Novocastrians and our visitors
- 7 Thanks our incredible City of Newcastle staff, particularly our Major Events and Corporate Affairs team, led by Kathleen Hyland and New Annual Project Manager Kate Britton, for their work to deliver such a successful festival
- 8 Notes that New Annual will return from 24 September to 3 October 2021, with early October to become the festival's ongoing annual date in the events calendar.

**Carried
unanimously**

**ITEM 2 LMM 23/02/21 - CITY OF NEWCASTLE LOCAL GOVERNMENT
REMUNERATION TRIBUNAL ANNUAL DETERMINATION
SUBMISSION 2021**

MOTION

Moved by Lord Mayor, Cr Nelmes

That the City of Newcastle

- 1 Notes that on 17 February 2021, correspondence from the NSW Government's Local Government Remuneration Tribunal was received, calling for submissions by Friday, 19 March 2021 regarding its 2021 annual determination;
- 2 Makes a submission to the Local Government Remuneration Tribunal, advocating for the following matters:
 - o Clarification regarding City of Newcastle's status as either metropolitan or regional – noting that while City of Newcastle is classified as a 'Major Regional City', the Newcastle Local Government Area is often exempt from both regional and metropolitan grant funding due to inconsistencies in classification.
 - o The creation of a new categorisation for City of Newcastle as a 'Gateway City' – recognising the immense importance of Greater Newcastle to the broader economy of New South Wales. Gateway Cities will play a critical role in the future economic resilience and competitive opportunities of the state, particularly with the ongoing

impacts of COVID-19. Gateway City classification would improve the efficiency and value for money of NSW Government grants. City of Newcastle is significantly disadvantaged in both its eligibility and access to a large number of NSW Government Grant programs, noting that the independent Hunter Research Foundation Centre (HRFC) has identified government grant funding sources totalling \$5.86 billion where City of Newcastle has been deemed ineligible to access funding due to our classification - if Newcastle's share of these funds was in line with its share of Gross State Product in 2019, the region might have received or be receiving an extra \$170.4 million in vital grant funding. Supporting the Gateway City classification is Transport for NSW's 'Future Transport Strategy 2056' which recognises City of Newcastle's emergence as a global gateway city, while NSW Government's Greater Newcastle Metropolitan Plan 2036 recognises the entire City of Newcastle LGA as metropolitan;

- Superannuation for all Councillors and Mayors in New South Wales, supporting a unanimous motion from Lake Macquarie City Council who have been advocating for the Superannuation Guarantee (SG) Contribution to be extended to elected local government representatives because 'the current situation is discriminatory and out of step with community expectations'. In Victoria and Queensland, Mayors and Councillors are paid the appropriate superannuation entitlements. City of Newcastle believes it is time to stop discriminating against Mayors and Councillors in NSW.

PROCEDURAL MOTION

Moved by Cr Rufo, seconded by Cr Luke

That the motion be dealt with in seriatim.

Carried

PART 1

MOTION

Moved by Lord Mayor, Cr Nelmes

That the City of Newcastle

- 1 Notes that on 17 February 2021, correspondence from the NSW Government's Local Government Remuneration Tribunal was received, calling for submissions by Friday, 19 March 2021 regarding its 2021 annual determination;
- 2 Makes a submission to the Local Government Remuneration Tribunal, advocating for the following matters:
 - Clarification regarding City of Newcastle's status as either metropolitan or regional – noting that while City of Newcastle is classified as a 'Major Regional City', the Newcastle Local Government Area is often

exempt from both regional and metropolitan grant funding due to inconsistencies in classification.

- The creation of a new categorisation for City of Newcastle as a 'Gateway City' – recognising the immense importance of Greater Newcastle to the broader economy of New South Wales. Gateway Cities will play a critical role in the future economic resilience and competitive opportunities of the state, particularly with the ongoing impacts of COVID-19. Gateway City classification would improve the efficiency and value for money of NSW Government grants. City of Newcastle is significantly disadvantaged in both its eligibility and access to a large number of NSW Government Grant programs, noting that the independent Hunter Research Foundation Centre (HRFC) has identified government grant funding sources totalling \$5.86 billion where City of Newcastle has been deemed ineligible to access funding due to our classification - if Newcastle's share of these funds was in line with its share of Gross State Product in 2019, the region might have received or be receiving an extra \$170.4 million in vital grant funding. Supporting the Gateway City classification is Transport for NSW's 'Future Transport Strategy 2056' which recognises City of Newcastle's emergence as a global gateway city, while NSW Government's Greater Newcastle Metropolitan Plan 2036 recognises the entire City of Newcastle LGA as metropolitan;

**Carried
unanimously**

PART 2

MOTION

Moved by Lord Mayor, Cr Nelmes

Superannuation for all Councillors and Mayors in New South Wales, supporting a unanimous motion from Lake Macquarie City Council who have been advocating for the Superannuation Guarantee (SG) Contribution to be extended to elected local government representatives because "the current situation is discriminatory and out of step with community expectations". In Victoria and Queensland, Mayors and Councillors are paid the appropriate superannuation entitlements. City of Newcastle believes it is time to stop discriminating against Mayors and Councillors in NSW.

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen, Duncan, Mackenzie, White and Winney-Bartz.

Against the Motion:

Councillors Church, Luke and Rufo.

Carried

**ITEM 3 LMM 23/02/21 - CITY OF NEWCASTLE BUDGET SUBMISSION
2021/22**

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that the NSW and Federal Governments are currently calling for submissions for their 2021-2022 Budget's, with an emphasis on shovel-ready, economic stimulus projects to assist in the recovery from the COVID-19 global pandemic;
- 2 Prepares detailed submissions to the NSW and Federal Government's, requesting funding for the delivery of Catalyst Areas for Greater Newcastle Projects; delivery of infrastructure projects identified on the Infrastructure Australia Priority List, City of Newcastle identified large-scale priority infrastructure projects; and Local priority infrastructure projects, which have also been endorsed by the City of Newcastle COVID-19 Taskforce;
- 3 Requests the NSW and Federal Government's provide funding to deliver the projects associated with Catalyst areas for Greater Newcastle, as identified in the Greater Newcastle Metropolitan Plan 2036 (**Attachment A**);
- 4 Advocates to the NSW and Federal Government for funding for the delivery of the following large-scale priority infrastructure projects:
 - Newcastle Art Gallery redevelopment
 - Coastal Management Planning and Erosion Management, especially at Stockton Beach
 - Flood mitigation at Wallsend
 - Newcastle Airport upgrade
 - Port of Newcastle Diversification
 - Hunter Park (Broadmeadow Sports and Entertainment Precinct)
 - Greater Newcastle Light Rail Expansion
 - Lower Hunter Freight Corridor
 - Affordable housing initiatives
 - Metropolitan wide active transport (walking & cycling) improvements
 - John Hunter Hospital campus upgrades
 - Local Sporting Amenity Upgrades
 - Local Playground upgrades, particularly for disability inclusion
 - Ferry Terminal at Wickham
 - Pensioner Rate Rebates
 - University of Newcastle STEMM Regional Transformation Hub
- 5 Presents a number of additional large-scale local infrastructure projects that City of Newcastle have been actively seeking grant funding support for, but are yet to receive support from the NSW or Federal Government including:
 - Summerhill Waste Management Centre – Organics Processing Facility
 - Richmond Vale Rail Trail

- Newcastle Beach Community Facility (Stage 2 Newcastle Beach – Bathers Way)
 - Junction to Merewether Cycleway
 - Newcastle West Bi-directional Cycleway – West End State 2, Phase 1
 - Newcastle East End Streetscape Upgrades and Cycleway – Stage 1, Phase 1
 - Newcastle West End Public Domain and Streetscape Plans
 - Local Centres Program – including Wallsend, Shortland and Stockton Local Centre upgrades
- 6 Notes that the Infrastructure Australia (IA) Priority List for 2021 is released this Friday 26 February. IA is the nation’s independent infrastructure advisor, providing research and advice to governments, industry and the community on the infrastructure investments and reforms that will benefit all Australians. The IA Priority List is the authoritative guide to the priority infrastructure investments Australia needs to secure a sustainable and prosperous future.
- 7 Requests that Newcastle-based projects identified on the Infrastructure Australia priority list be funded as a matter of priority, noting their significance for the national economic recovery.
- 8 Writes to the Prime Minister, the Hon. Scott Morrison MP; Treasurer, the Hon. Josh Frydenberg MP; Senator Hollie Hughes, Senator for NSW; NSW Premier, the Hon. Gladys Berejiklian MP; NSW Treasurer, the Hon. Dominic Perrottet MP, Parliamentary Secretary for the Hunter, the Hon Taylor Martin MLC, seeking their support for these important projects aimed at creating and retaining local jobs, and stimulating the local and broader economy.

**Carried
unanimously**

ITEM 4 LMM 23/02/21 - BUILD THEM HERE - BUSTECH ELECTRIC BUS TECHNOLOGY

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Welcomes the NSW Government’s decision to designate Australian-based electric bus manufacturer BusTech Group as an official supplier, in support of its aim to decarbonise the NSW bus fleet by 2030. The NSW Government has committed to buying 120 new electric buses in 2021, and converting all 8,000 NSW Government buses to electric by 2030.
- 2 Notes that BusTech, currently based in Queensland, is seeking a manufacturing facility in NSW, and notes that 95% of BusTech’s supply chain is based in Australia, providing opportunities for locals.

- 3 Notes Newcastle's long history as a manufacturing hub, specialisation in advanced manufacturing, clean tech credentials in batteries and renewable energy, and traditional energy, and connection to the CSIRO Energy Centre and University of Newcastle, which has just become NSW's hydrogen hub
- 4 Writes to BusTech Chairman Christian Reynolds, and Chief Executive Officer Thinus Steyn, inviting them to meet to discuss their product, and opportunity to locate their NSW manufacturing facility in Greater Newcastle

**Carried
unanimously**

**ITEM 5 LMM 23/02/21 - NEWCASTLE ART GALLERY REDEVELOPMENT
UPDATE**

MOTION

Moved by Lord Mayor, Cr Nelmes

That City of Newcastle:

- 1 Notes that the current 44-year-old Newcastle Art Gallery is home to the most valuable collection of over 7,000 works of art in regional Australia, with a collection valued at \$115 million, including works by Arthur Boyd, William Dobell, Donald Friend, Tracey Moffatt, Margaret Olley, John Olsen, Patricia Piccinini, Gwyn Hanssen Pigott and Brett Whitely to name but a few;
- 2 Acknowledges that with the Gallery's original 1977 footprint still in place, only 1% of its collection can be placed on display at any time, significant inhibiting the number, scale and diversity of potential exhibitions.
- 3 Notes that the expansion of the Newcastle Art Gallery has been one of the City's priority projects since 2012, and the subject of numerous resolutions of Council
- 4 Notes that in 2019, City of Newcastle and the Newcastle Art Gallery Expansion Working Party received a Cost Benefit Analysis (CBA), undertaken by BIS Oxford Economics (Attachment A) prepared in accordance with NSW Treasury requirements, for the Newcastle Art Gallery Redevelopment demonstrating that the benefits of the proposal far outweigh the costs with a Benefit-Cost Ratio (BCR) of 1.77 and a positive Net Present Value (NPV) of \$24.1 million.
- 5 Acknowledges that the project will create 170 jobs, including 152 jobs during the construction phase, with 18 full-time equivalent jobs post completion;
- 6 Reiterates the investment required to realise an expanded Newcastle Art Gallery is \$39.2 million, of which \$3.6 million has already been funded by the City, with the remaining cost of completing the expansion currently \$35.6 million, with the Development Application approved and the project shovel-ready;

- 7 Notes that essential mine grouting work and relocation of a Telstra pit will be undertaken by CN in 2021, as part of early works for the expansion, at a cost of \$2.9 million. This work will be funded by the City, bringing our financial investment into the project to \$6.5 million to date;
- 8 Acknowledges Newcastle Art Gallery Foundation's commitment of \$10 million towards the project, following a generous bequest from the late Valerie Ryan, as well as the Foundation's commitment to fundraise an additional \$2.5 million for the project;
- 9 Notes that correspondence has been received from Ms Cathy Tate OAM, Chair, Newcastle Art Gallery Expansion Working Party, asking City of Newcastle to increase its commitment to the project to \$16 million, following advice from the NSW Minister for the Arts;
- 10 Notes and supports in principal the request to increase City of Newcastle's contribution to \$16.2 million, with an updated breakdown of funding sources to be as follows:
 - a. City of Newcastle - \$16.2 million
 - b. Newcastle Art Gallery Foundation - \$10 million, with a commitment to additional community fundraising of \$2.5 million;
 - c. Margaret Olley Art Trust - \$0.5 million
- 11 Notes that this breakdown of figures sees an outstanding amount of exactly \$10 million required to realise this important project, which the City of Newcastle will request from the NSW and/or Federal Governments, while 75% of the project costs will be raised and funded by City of Newcastle, the Newcastle Art Gallery Foundation and the Margaret Olley Art Trust.
- 12 Notes with disappointment, that despite ongoing advocacy, favourable economic analysis, the Expansion's shovel ready status, and modifications to meet Government requests, a funding commitment has not been secured from either the NSW or Commonwealth Government.
- 13 Receives a report identifying all possible funding pathways and options available to the City to proceed with the redevelopment of Newcastle Art Gallery.

**Carried
unanimously**

REPORTS BY COUNCIL OFFICERS

ITEM-3 CCL 23/02/21 - TERMINATION OF OUTDATED POLICIES

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Terminates the following City of Newcastle (CN) policies which have been superseded by more recent legislation and guidance.
 - i) Building Waste Container (Bulk Waste) Policy;
 - ii) House Numbering Guide Policy; and
 - iii) House Numbering Policy.

**Carried
unanimously**

ITEM-4 CCL 23/02/21 - TABLING OF REGISTER OF DISCLOSURES OF INTEREST - 1 NOVEMBER 2020 - 31 JANUARY 2021

MOTION

Moved by Cr Mackenzie, seconded by Cr Rufo

That Council:

- 1 Note the tabling of the Register of Disclosures of Interest (for the period 1 November 2020 to 31 January 2021) by the Chief Executive Officer (CEO).

**Carried
unanimously**

ITEM-6 CCL 23/02/21 - WOOD STREET, NEWCASTLE WEST - ONE WAY TRAFFIC FLOW SOUTHBOUND AND ANGLE PARKING BETWEEN HUNTER STREET AND KING STREET

MOTION

Moved by Cr Mackenzie, seconded by Cr Rufo

That Council:

- 1 Approve the one-way southbound traffic direction, angle parking and raised pedestrian zebra crossing in Wood Street, Newcastle West between Hunter and Parry Streets as shown in **Attachment A**.

Carried

ITEM-11 CCL 23/02/21 - VARIATIONS TO DEVELOPMENT STANDARDS

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Receives the report on approved development variations between 1 October and 31 December 2020 at **Attachment A** in accordance with the Department of Planning, Industry and Environment's (DPIE) concurrence to vary development standards in the Newcastle Local Environment Plan 2012 (NLEP 2012).

**Carried
unanimously**

ITEM-15 CCL 23/02/21 - EXECUTIVE MONTHLY PERFORMANCE REPORT

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

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

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen, Duncan, Luke, Mackenzie, White and Winney-Baartz.

Against the Motion:

Councillors Church and Rufo.

Carried

ITEM-1 CCL 23/02/21 - COUNCILLOR REPRESENTATION ON EXTERNAL COMMITTEE - NEWCASTLE ART GALLERY FOUNDATION BOARD

MOTION

Moved by Cr Duncan, seconded by Cr Byrne

That Council:

- 1 Notes Councillor Dunn's resignation from the Newcastle Art Gallery Foundation Board received on 17 February 2021; and
- 2 Nominates and appoints Councillor Clausen as City of Newcastle's representative and nominated Director on the Newcastle Art Gallery Foundation Board until the day before the next local government election.

**Carried
unanimously**

ITEM-2 **CCL 23/02/21 - NOMINATION TO LIST NEWCASTLE RECREATION RESERVE (KING EDWARD PARK) ON THE STATE HERITAGE REGISTER**

MOTION

Moved by Cr Clausen, seconded by Cr White

That Council:

- 1 Endorses the nomination at **Attachment A** to list Newcastle Recreation Reserve on the NSW State Heritage Register (SHR).

PROCEDURAL MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

That the item be laid on the table noting that there has been a request to present on the item at a Public Voice session.

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

Against the Procedural Motion: Councillor Luke.

Carried

ITEM-5 **CCL 23/02/21 - NATURAL DISASTER CLAUSE - NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012**

MOTION

Moved by Cr Clausen, seconded by Cr Duncan

That Council:

- 1 Confirms to the NSW Department of Planning, Industry and Environment (DPIE) that it wishes to have the natural disaster clause, (**Attachment A**) inserted into the Newcastle Local Environmental Plan 2012 (NLEP 2012).

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

Against the Motion: Nil.

**Carried
unanimously**

ITEM-7**CCL 23/02/21- ADOPTION OF PARKING PLAN**

In moving the motion Councillor Winney-Baartz moved an additional Part B.

MOTION

Moved by Cr Winney-Baartz, seconded by Cr Duncan

A That Council:

- 1 Adopt the Parking Plan – On Our Streets at **Attachment A**.
- 2 Notes that implementation will be staged over several years, in accordance with agreed priorities and resourcing, as outlined in the Implementation Plan at **Attachment B**.

B That Council continues to work with other public agencies (HCCDC, University of Newcastle and Newcastle Transport) and the private sector to improve public transport in Newcastle (including park and rides, rapid bus transit and light rail extension), and increase the supply of parking as the City recovers from COVID-19 and new development is undertaken in the CBD and suburbs.

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

For the Motion:

Lord Mayor, Cr Nelmes and Councillors Byrne, Clausen, Duncan, Mackenzie, White and Winney-Baartz.

Against the Motion:

Councillors Church, Luke and Rufo.

Carried

ITEM-8**CCL 23/02/21 - ADOPTION OF CYCLING PLAN****MOTION**

Moved by Cr Mackenzie, seconded by Cr Winney-Baartz

That Council:

- 1 Adopt the Cycling Plan at **Attachment A**.
- 2 Notes that implementation will be staged over several years, in accordance with agreed priorities and resourcing, as outlined in the Implementation Plan at **Attachment D**.

**Carried
unanimously**

ITEM-9

CCL 23/02/21 - PUBLIC EXHIBITION OF THE DRAFT ECONOMIC DEVELOPMENT STRATEGY

MOTION

Moved by Cr Clausen, seconded by Cr Byrne

That Council:

- 1 Places the draft 2030 Economic Development Strategy at **Attachment A** on public exhibition for 28 days.

**Carried
unanimously**

ITEM-10

CCL 23/02/21 - PUBLIC EXHIBITION OF THE DRAFT GRANTS POLICY AND SPONSORSHIP POLICY

In moving the motion Councillor Duncan proposed the draft Grants Policy be amended prior to being placed on public exhibition to increase the maximum amount under Arts, Culture and Heritage to \$50,000 per application.

MOTION

Moved by Cr Duncan, seconded by Cr Mackenzie

That Council:

- 1 Places the draft Community Grants Policy (**Attachment A**) and draft Sponsorship Policy (**Attachment B**) on public exhibition for 28 days subject to increasing the maximum amount under Arts, Culture and Heritage to \$50,000 per application.

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

Carried

ITEM-12

CCL 23/02/21 - LIQUOR AMENDMENT BILL 2020 UPDATE

Councillor Rufo declared a significant non-pecuniary interest in Item 12 – Liquor Amendment Bill 2020 Update indicating that his family members owned bars within the Newcastle area.

MOTION

Moved by Cr Duncan, seconded by Cr Winney-Baartz

That Council

- 1 Receives the update report on the Liquor Amendment Act 2020 as per **Attachment A**.

Councillor Rufo had remained in the Chamber for discussion on the item and left the meeting for the vote.

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

Against the Motion: Councillor Church.

Carried

Councillor Rufo returned to the meeting at the conclusion of the Item.

ITEM-13 CCL 23/02/21 - DECEMBER QUARTERLY BUDGET REVIEW

MOTION

Moved by Cr Clausen, seconded by Cr Byrne

That Council:

- 1 Receives the December Quarterly Budget Review Statement (**Attachment A**) and adopts the revised budget as detailed therein.

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

Against the Motion: Councillors Church and Rufo.

Carried

ITEM-14 CCL 23/02/21 - SIX MONTHLY PERFORMANCE REPORT ON THE 2018-2022 DELIVERY PROGRAM

MOTION

Moved by Cr Duncan, seconded by Cr Clausen

That Council:

- 1 Receives the Six-Monthly Performance Report on the 2018-2022 Delivery Program, as per **Attachment A**.

**Carried
unanimously**

ITEM-16 CCL 23/02/21 - AUDIT AND RISK COMMITTEE 2019/20 ANNUAL REPORT

MOTION

Moved by Cr Byrne, seconded by Cr Mackenzie

That Council:

- 1 Receive the Audit and Risk Committee's Annual Report for the 2019/2020 financial year at **Attachment A**; and
- 2 Notes the 2020/2021 Forward Internal Audit Plan at Appendix A of Attachment A.

**Carried
unanimously**

**ITEM-17 CCL 23/02/21 - TENDER REPORT - GEOTECHNICAL
INVESTIGATION AND DESIGN PANEL CONTRACT -
CONTRACT 2021/221T**

MOTION

Moved by Cr Mackenzie, seconded by Cr Church

That the recommendation at **Attachment A** be adopted.

The Chief Executive Officer reported the outcome of Item 17 – Tender Report – Geotechnical Investigation and Design Panel Contract – contract 2021/221T.

That Council:

- 1 Accept the tender of:

- (i) Cardno (NSW/ACT) Pty Ltd,
- (ii) RCA Australia Pty Ltd,
- (iii) Douglas Partners Pty Ltd,
- (iv) WSP Australia Pty Ltd, and
- (v) Coffey Services Australia Pty Ltd,

for Geotechnical Investigation and Design Services, for Contract No. 2021/221T.

- 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**

**ITEM-18 CCL 23/02/21 - SUPPLY OF ROCK BAGS FOR STOCKTON -
CONTRACT NO. 2021/060T**

MOTION

Moved by Cr White, seconded by Cr Mackenzie

That the recommendation at **Attachment A** be adopted.

The Chief Executive Officer reported the outcome of Item 18 – Supply of Rock Bags for Stockton – Contract No.2021/060T.

That Council:

- 1 Accept the tender of Bluemont Pty Ltd in the amount of \$666,000 (excluding GST) for the supply and delivery of 900 rock bags for emergency works at Stockton Beach for Contract No. 2021/060T.
- 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**

NOTICES OF MOTION

ITEM-1 NOM 23/02/21 - PERMANENTLY RAISE THE RATE

Councillor White left the meeting for discussion on the item.

Councillor Luke retired from the meeting at 9.00pm.

MOTION

Moved by Cr Byrne, seconded by Cr Clausen

That Council:

- 1 Notes that the severe economic impacts of the COVID-19 pandemic have been cushioned by Commonwealth, State and Local policy interventions, including the JobSeeker and JobKeeper payments;
- 2 Notes the City's ongoing advocacy to ensure a coordinated national response to the COVID-19 pandemic, including its unanimous resolution in response to a Lord Mayoral Minute on 24 March 2020 and successive joint advocacy of the City Taskforce which predated the JobKeeper payment.
- 3 Notes that prior to the \$550 per fortnight increase in the JobSeeker payment in April 2020, the JobSeeker/NewStart rate had not been increased in real terms in 26 years. Recipients were living well below the poverty line, unable to cover basic living costs such as rent, fresh food and medication [**Attachment A**];
- 4 Notes that the JobSeeker coronavirus supplement has been reduced to just \$150 per fortnight, and is scheduled to be removed completely on 31 March 2021, returning more than 1.7 million recipients and their families into poverty;
- 5 Notes that as of December 2020, 10,481 Novocastrians are receiving the JobSeeker or Youth Allowance Payments, a 50% increase on JobSeeker/NewStart recipients compared with pre-COVID. Notes, with concern, that this is only 1,400 fewer recipients than the peak of COVID (May 2020) [**Attachment B**];

- 6 Notes that from April to December 2020, the JobSeeker Coronavirus Supplement provided **\$80.5 million** in additional support to these Novocastrians [**Attachment C**];
- 7 Notes that numerous academic studies, reports undertaken by Treasury, and comments from the RBA Governor confirm that this supplement has had an immediate and direct economic stimulus benefit, as the “bulk of recipients spend the income they get”;
- 8 Notes calls from a wide cross section of Australians to permanently Raise the Rate, including:
 - a. Australia’s chief banker, RBA Governor Philip Lowe
 - b. The Business Council of Australia, who have said that the low JobSeeker rate: “erodes the capacity of people to present themselves well or maintain their readiness for work”
 - c. The Australian Council of Social Services
 - d. The Grattan Institute
 - e. The Sydney Morning Herald Editorial Board
 - f. Respected economists, including Professor Jeff Borland, who found that the JobSeeker supplement had: “not made it harder to fill jobs, nor has it slowed the rate of people obtaining employment”.
 - g. The Reference Group on Welfare Reform to the Minister for Social Services
 - h. City of Newcastle (unanimously on 25/09/2018); and
- 9 Calls on the Prime Minister, Treasurer and Commonwealth Parliament to permanently raise the rate of JobSeeker by between \$185 per week and \$275 per week.

**Carried
unanimously**

Councillor White returned to the meeting at the conclusion of the item.

**ITEM-2 NOM 23/02/21 - KEEPING THE NEWCASTLE OCEAN BATHS
FREE**

MOTION

Moved by Cr Duncan, seconded by Cr Clausen

That Council:

- 1 Notes that when the Newcastle Ocean Baths were first opened in 1918 an entry fee was charged. From 1922 to 1953 this fee was collected by a private operator;
- 2 Notes that the Newcastle Ocean Baths were made free following a hard-fought campaign in 1953 led by Newcastle Labor councillors, with fierce opposition from conservative councillors and some residents’ groups;

- 3 Reaffirms the current Council's enduring commitment to maintaining the Newcastle Ocean Baths and Merewether Baths as a safe, free public facility, accessible to all Novocastrians regardless of socio-economic status, gender, age, mobility or background;
- 4 Notes that the design tender for Stage 1 (incorporating restoration of the pool and promenade) has been awarded, with construction expected to commence early in the new financial year following further community consultation. Stage 2 (renewal of the pavilions and upper-level public domain space), will occur following further consultation to ensure they meet the needs of all users;
- 5 Notes that Council has reserved the \$9.5 million proceeds from the sale of the Frederick Ash Building as funding for the renewal of the Baths; and
- 6 Continues to engage with a broad cross-section of the Newcastle community on upgrades of the Newcastle Ocean Baths, while addressing misinformation that has been spread about this topic.

Councillor Mackenzie moved to include the Merewether Baths in point three of the motion.

Councillor Duncan as the mover and Councillor Clausen as the seconder accepted Councillor Mackenzie's amendment.

The motion as amended was put to the meeting.

**Carried
unanimously**

ITEM-3 NOM 23/02/21 - A NOVOCASTRIAN IN THE WHITE HOUSE

MOTION

Moved by Cr Clausen, seconded by Cr Winney-Baartz

That Council:

- 1 Congratulates former New Castle County Councillor Joe Biden on his election to the office of President of the United States of America;
- 2 Notes the President Biden's political career began in 1970 as a New Castle County Councillor in New Castle County, Wilmington, Delaware;
- 3 Notes that both Newcastle, Australia and New Castle, Delaware are part of the Newcastle's of the World friendship network;
- 4 Congratulates the President and his Vice President, Hon Kamala Harris, on the decisive actions of their new Administration, including in combatting COVID-19 and by returning the United States to the Paris Climate Change Agreement;

- 5 Notes that Australia's Ambassador to the United States, His Excellency Arthur Sinodinos AO, is a proud Novocastrian, and is an informal ambassador for Newcastle, Australia in Washington, D.C.; and
- 6 Writes to the United States' representative in Australia, Chargé d'Affaires His Excellency Dr Michael Goldman, and Consul General to Sydney, Ms Sharon Hudson-Dean, expressing the City's congratulations to the President and Vice President, and seeking to maintain the strong relationship between the City of Newcastle and the United States.

For the Motion: Lord Mayor, Cr Nelmes and Councillors Byrne, Church, Clausen, Duncan, White and Winney-Baartz.

Against the Motion: Councillors Mackenzie and Rufo.

Carried

ITEM-4 NOM 23/02/21 - PETROLEUM EXPLORATION PERMIT (PEP 11)

MOTION

Moved by Cr Clausen, seconded by Cr Mackenzie

That Council:

- 1 Reiterates its previous opposition to any extension of Petroleum Exploration Permit 11 (PEP11), which expired on 12 February 2021, due to unacceptable environmental impacts, and negative economic impacts on the recreational and commercial fishing and tourism industries off the coast of Newcastle;
- 2 Notes that despite the Permit's expiry, exploration activity continues in a 'holdover period' while an extension is considered by the Joint Authority;
- 3 Notes that approval of any extension requires the joint approval of the NSW Government via Deputy Premier, The Hon John Barilaro MP, and the Commonwealth Government via Minister for Resources, Water and Northern Australia, The Hon Keith Pitt MP;
- 4 Notes that the Deputy Premier has already indicated his objection, and confirmed that his Government will not be issuing a concurrence to an extension; and
- 5 Writes to Minister Pitt, reiterating City of Newcastle's strong opposition to the future extension of the PEP11 gas exploration licence, and to offshore oil and gas mining off the coast of Newcastle.

**Carried
unanimously**

CONFIDENTIAL REPORTS

PROCEDURAL MOTION

Moved by Cr Rufo, seconded by Cr Mackenzie

That Council move into Confidential session as per the reasons outlined in the business papers.

Carried

Council moved into confidential session at 9.24pm.

During confidential session:

- All staff other than the CEO, Director of People and Culture, Director City Wide Services, Manager Legal, Councillor Services and Information Technology Support left the Chamber for Item 1 – Organisational Change.

PROCEDURAL MOTION

Moved by Cr Rufo, seconded by Cr Mackenzie

That Council move back into open session.

Carried

Council moved back into open session at 9.32pm and the Chief Executive Officer reported the outcomes of confidential session.

ITEM-1 CON 23/02/21 - ORGANISATIONAL CHANGE

MOTION

Moved by Cr Mackenzie, seconded by Cr Byrne

That Council:

- 1 Establish the Newcastle Museum and Newcastle Art Gallery as Service Units in the organisational structure within the City Wide Services Directorate **(Attachment A)**.
- 2 Endorse the creation of Senior Staff positions for the roles of Newcastle Museum Director and Newcastle Art Gallery Director in accordance with the Executive Band of the Local Government (State) Award 2020 and the total remuneration package as determined by the *Statutory and Other Offices Remuneration Act 1975 (SOORT)* for Public Service Senior Executives graded at Band 1.
- 3 This confidential report relating to the matters specified in s10A(2) of the Local Government Act 1993 be treated as confidential and remain confidential until Councillors are advised by the Chief Executive Officer that the structure and positions have been communicated to all staff within these affected teams.

For the Motion:

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

Against the Motion:

Councillor Church.

Carried

The meeting concluded at 9.34pm.