



# Maitland City Council

## PUBLICATION GUIDE

### 2011-2012

This Publication Guide has been developed in accordance with Section 21 of the *Government Information (Public Access) Act 2009 (NSW)* and was adopted under delegated authority by the General Manager on 14 December 2010.

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# Introduction

## City Profile

The City of Maitland is located on the Hunter River in the Lower Hunter Region. The settlement of the City dates from 1818 and was one of the principal towns of NSW in the 19th Century. Many fine buildings of this early period remain today, thereby giving the City a unique heritage quality.

The City covers an area of 396 sq km linked by 503 km of roads. The City boundaries are formed by the Paterson and Hunter Rivers to the east, rural lands to the south, the Hunter River to the west and elevated rural land to the north.

The City possesses a rare blend of river flat land, confined urban settlements and surrounding vegetated mountain country. The Hunter River is a strong landscape feature, which snakes its way through the centre of the City.

The City's population in 2009 was estimated to be around 68,900. Council has projected that in the next five (5) years, the population of the Maitland LGA area will grow at the rate of 2% per annum.

Justly famous for its heritage buildings and scenic backdrop, the city offers an ever-expanding range of lifestyle choices including inner city medium density development, spacious executive style residential estates, heritage communities and rural opportunities.

## Authority

Maitland City Council was formed in 1945 following the amalgamation of the previously existing areas of East Maitland, West Maitland, Bolwarra, Morpeth, Tarro and Kearsley.

Maitland City Council draws its primary authority from the *NSW Local Government Act of 1993*. However it has additional responsibilities in the administration of other related legislation such as the *Companion Animals Act 1999*, the *Roads Act 1993*, the *Noxious Weeds Act 1993*, the *Heritage Act 1977* and a range of environmental planning laws including the *Environmental Planning and Assessment Act 1979*.

The General Manager is responsible for the efficient operation of the organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by Council, the appointment, direction and where necessary, the dismissal of staff.

## Elected Council

Maitland City Council is headed by a publicly elected Council that is responsible for providing leadership and vision for the City. The popularly elected Mayor acts as the Chairperson of Council meetings, carries out the civic and ceremonial functions of the Council and performs any other functions that Council determines.

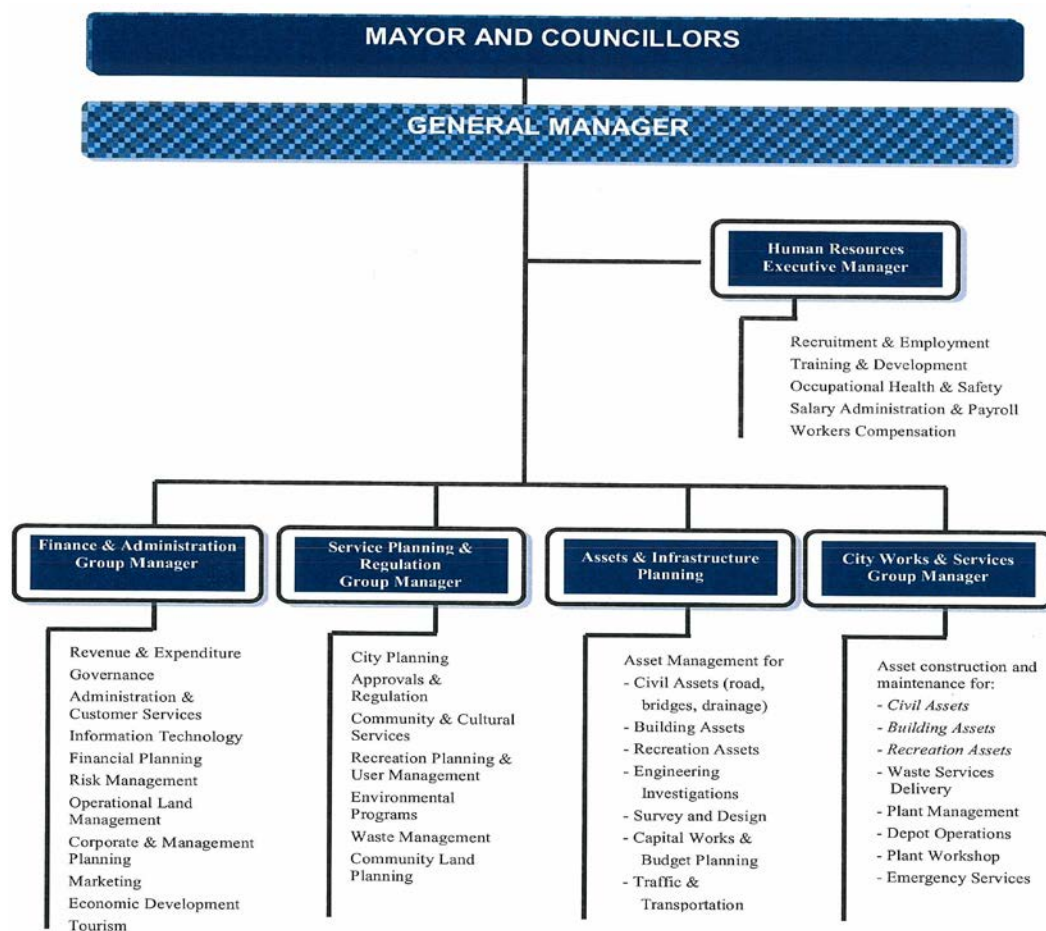
The Council comprises twelve (12) Councillors, evenly distributed across four (4) wards, elected every four (4) years. The Council most recent Council election was held in September 2008. Each year the Councillors elect a deputy Mayor for the ensuing twelve (12) months.

The Council holds two (2) ordinary meetings each month, which are held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays in the Maitland Town Hall. These meetings are advertised to the public via the local newspaper.

## Structure and Functions of Maitland City Council

### Structure

Maitland City Council's Organisational Structure is as follows:



## Functions

The functions of Council are set out in the Local Government Act 1993, these functions can be grouped into the following categories.

Service Functions	Regulatory Functions	Ancillary Functions	Revenue Functions	Admin Functions	Enforcement Functions
Including: <ul style="list-style-type: none"> <li>• Provision of community, health, recreation, education &amp; information services.</li> <li>• Environmental protection.</li> <li>• Waste removal &amp; disposal.</li> <li>• Land, industry &amp; tourism development &amp; assistance.</li> <li>• Civil construction &amp; maintenance.</li> <li>• Infrastructure Planning.</li> </ul>	Including: <ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building Certificates</li> </ul>	Including: <ul style="list-style-type: none"> <li>• Resumption of land.</li> <li>• Powers of entry &amp; inspection.</li> <li>• Community Planning &amp; Development</li> </ul>	Including: <ul style="list-style-type: none"> <li>• Rates.</li> <li>• Charges.</li> <li>• Fees.</li> <li>• Borrowing.</li> <li>• Investments.</li> </ul>	Including: <ul style="list-style-type: none"> <li>• Employment of staff.</li> <li>• Management Plans.</li> <li>• Financial Reporting.</li> <li>• Annual Reports.</li> </ul>	Including: <ul style="list-style-type: none"> <li>• Proceedings for breaches of Local Gov. Act &amp; other legislation.</li> <li>• Prosecution of Offences.</li> <li>• Recovery of Rates &amp; charges.</li> </ul>

## Business Groups

There are four (4) business groups with each division having the responsibility of implementing policies and programs to achieve the City's vision.

### Service Planning and Regulation

Responsible for land use and environmental planning, health services, waste management, community, recreation and cultural services and planning.

### Assets and Infrastructure Planning

Responsible for the planning and management of Council's assets.

### Finance and Administration

Responsible for financial and business management together with administrative, governance and support services to the elected Council, information technology, property services and the promotion of tourism in the region.

### City Works and Services

Provides construction and maintenance associated with Council's assets, together with the operational responsibility for waste collection and disposal and parks and gardens.

The structure also includes an Executive area for Human Resources which reports directly to the General Manager. Human Resources provide continuous development and implementation of progressive human resources policies and systems as well as providing legislative support and advice in regard to all employee related matters.

## **Effect of Council's Functions on Members of the Public**

The Council performs many functions in which it directly interacts with the community. Some functions that have wide public effect include the following:

- The Council has the power to propose zonings for individual properties;
- The Council can develop land controlled by the Council;
- The Council will classify the way in which public land is used;
- The Council may cause works to be constructed in the community. Such works could include public buildings, recreation facilities, roads, car parks, footpaths and drainage works;
- The Council may make orders concerning certain public nuisances and other matters;
- In certain circumstances the Council may enter onto private land and/or cause certain works to be done;
- The Council levies rates and charges and adopts fees for the supply of goods and services;
- The Council may regulate behaviour in certain public places;
- The Council may regulate certain matters relating to public health;
- In certain circumstances, the Council may seek to acquire private property; and
- The Council may regulate traffic and parking within its area of control.

## **Arrangements for Public Participation in Policy Formulation**

The Council considers all policy matters at open Council meetings. Notices of forthcoming Council Meetings are published in the Post Newspaper as well as on Council's website.

Copies of the meeting agenda can be inspected on the Council website or at the Council Administration Building from the Friday prior to the meeting.

Council's Code of Meeting Practice makes provision for members of the public to address Council Meetings and prescribes the framework for such participation.

The Council also seeks public comment on contentious and pertinent matters. This may be by way of public meetings, public exhibitions of documents, through on-line consultation or more formalised public hearings. Details are advertised in the Post Newspaper as required.

Council also has a [Community Engagement Strategy](#) to ensure Council engages with and encourages the community to participate in the consultation process associated with the preparation of strategies, plans and policies and the implementation of projects and Council activities.

Residents are also able to raise issues with, and make representations to the elected Councillors. The Councillors may pursue the matter on the resident's behalf thereby allowing members of the public to influence the development of policy.

Members of the public may also be involved in [Council Committees](#) which comprise stakeholders and staff from respective areas.

## Accessing Council Information

Maitland City Council provides access to information under the Government Information (Public Access) Act 2009.

Council will proactively strive to enable the public release of government information held by the Council. However, statutory responsibilities and legal obligations may restrict or prohibit the inspection of certain documents/files etc and, in some cases, may prevent us from providing a copy of the information.

The “*Examples of Open Access Information*” Table below identifies various types of information held by the Council which is available as ‘Open Access’. The table explains the manner in which Council will make certain information available to the public.

The public may obtain access to information as follows:

- By searching the Council’s website to see if it is already available
- By contacting Council and requesting the information, Council will advise whether the information is:
  - a. Open access or mandatory release – that is readily available
  - b. Can be made available as part of a proactive release of information
  - c. Will require an [informal access application](#).
  - d. Will require a [formal access application](#).

Council publishes open access, or mandatory release, information in accordance with Section 18 of the Government Information (Public Access) Act 2009 and Schedule 1 of the Government Information (Public Access) Regulation 2009 on its website (free of charge) unless there is an overriding public interest against disclosure or to do so would impose an unreasonable additional cost on Council. In respect of the latter the Council will make the information available for access at the Council Administration Building. Copies of information may be requested subject to a photocopying charge outlined in Council’s current [Schedule of Fees and Charges](#).

Copies of documents provided are given for information purposes only and are provided by Council to meet its requirements under relevant legislation. Copyright laws still apply to each document. The copyright-owner's consent is required if any part of the document is used for any other purpose.

Requests for amendments / corrections to our records should be addressed to the Privacy Officer and outline the basis of any objections to the information currently held by the Council. Statutory requirements may prevent amendments without submission of satisfactory documentation.

### Examples of Open Access Information \*\*

Type of Government Information	Open Access Information	Publicly Available – free of charge *	Manner in which the Council will make the Information Publicly Available.
Policy Documents ( <i>including Code of Conduct, Code of Meeting Practice &amp; Payment of Expenses Policy</i> )	✓	✓	<a href="#">Website</a>
Disclosure Log	✓	✓	<a href="#">Website</a>
Register of Government Contracts \$150,000 or more	✓	✓	<a href="#">Website</a>
Development control Plans	✓	✓	<a href="#">Website</a>
Council Registers	✓	✓	Some available on <a href="#">website</a> , others available from Council Administration Building
Corporate Reports, Plans & Strategies	✓	✓	<a href="#">Website</a>
Annual Report	✓	✓	<a href="#">Website</a>
Development Applications	✓	✓	Available at Council Administration Building
Agenda & Minutes from Council meetings	✓	✓	<a href="#">Website</a>
Pecuniary Interest Disclosures	✓	✓	Available at Council Administration Building
Approvals and Orders	✓	✓	Available at Council Administration Building

\* if copies of information are requested, Council will impose a photocopying fee in accordance with the current [Fees and Charges Schedule](#).

\*\* Note: Information listed in this table is only an example of the information provided by Council under Open Access Information, for a detailed list of information available please see [Section 18 of the Government Information \(Public Access\) Act 2009](#) and [Schedule 1 of the Government Information \(Public Access\) Regulation 2009](#).

Any requests for information which is not classified as 'Open Access' will be determined in accordance with the public interest test on a case by case basis.

## Contact Information

### Right to Information Officer - Maitland City Council

Mail: PO Box 220 Maitland 2320  
Phone: (02) 4934 9700  
Fax: (02) 4933 3209  
Visit: 285 – 287 High Street, Maitland  
Email: [mcc@maitland.nsw.gov.au](mailto:mcc@maitland.nsw.gov.au)

### The Office of the Information Commissioner (OIC)

Mail: GPO Box 7011, Sydney NSW 2001  
Phone: 1800 INFOCOM (1800 463 626)  
Visit: Level 11 – 1 Castlereagh Street, Sydney  
Email: [oiinfo@oic.nsw.gov.au](mailto:oiinfo@oic.nsw.gov.au)  
Website: [www.oic.nsw.gov.au](http://www.oic.nsw.gov.au)