

ORDINARY MEETING

MINUTES

9 AUGUST 2022

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PRESENT

Cr Robert Aitchison
Cr Loretta Baker
Cr Kristy Ferguson
Cr Stephanie Fisher
Cr Peter Garnham
Cr Mitchell Griffin
Cr Bill Hackney
Cr Sally Halliday
Cr Philip Penfold, Mayor
Cr Kanchan Ranadive
Cr Ben Whiting
Cr Mike Yarrington

1 INVOCATION

Pastor Roger Burgess read the customary prayer at the commencement of the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The General Manager read the Acknowledgement of Country.

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

COUNCIL RESOLUTION

THAT the apology received for the unavoidable absence of Cr Ben Mitchell be accepted and leave of absence granted

Moved Cr P Garnham, Seconded Cr K Ranadive

CARRIED

4 DECLARATIONS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 26 July 2022 be confirmed.

Moved Cr B Whiting, Seconded Cr S Fisher

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

6 BUSINESS ARISING FROM MINUTES

Nil

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

- 7.1 Acceptance of Late Items:
- 17.2 - Regional NSW - Business Case and Strategy Development Fund
 - 22.3 - Large Site and Street Lighting Electricity Contract

COUNCIL RESOLUTION

THAT Council accept the Late Items 17.2 - Regional NSW - Business Case and Strategy Development Fund, and 22.3 - Large Site and Street Lighting Electricity Contract

Moved Cr P Garnham , Seconded Cr M Yarrington

CARRIED

For: Cr R Aitchison Against:
 Cr L Baker
 Cr K Ferguson
 Cr S Fisher
 Cr P Garnham
 Cr M Griffin
 Cr B Hackney
 Cr S Halliday
 Mayor P Penfold
 Cr K Ranadive
 Cr B Whiting
 Cr M Yarrington

8 PUBLIC ACCESS

Nil

9 MAYORAL MINUTE

9.1 RESOURCING MAITLAND REGIONAL ATHLETICS CENTRE

FILE NO: 35/5/1
 ATTACHMENTS: Nil
 RESPONSIBLE OFFICER: David Evans - General Manager
 AUTHOR: Philip Penfold - Mayor

MAYORAL MINUTE

THAT

In light of the significant interest in the hiring of Maitland Regional Athletics Centre for athletics carnivals and by commercial operators, the General Manager brief the Council and report back to Council within 2022, regarding the resourcing options possible, to ensure we maintain a good level of free public access to the facility.

COUNCIL RESOLUTION

THAT

In light of the significant interest in the hiring of Maitland Regional Athletics Centre for athletics carnivals and by commercial operators, the General Manager brief the Council and report back to Council within 2022, regarding the resourcing options possible, to ensure we maintain a good level of free public access to the facility.

Moved, Mayor Philip Penfold

CARRIED

For:	Cr R Aitchison Cr L Baker Cr K Ferguson Cr S Fisher Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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10 GENERAL MANAGER'S REPORTS

Nil

11 PLANNING AND ENVIRONMENT

11.1 MAITLAND CITY HERITAGE GROUP

FILE NO:	96/10
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning
AUTHOR:	Clare James - Heritage Officer
MAITLAND +10	Outcome 5. To celebrate what makes our city unique - our history, our people and our river
COUNCIL OBJECTIVE:	Recognise the importance of our heritage buildings and precincts

EXECUTIVE SUMMARY

The Maitland City Heritage Group is a long-standing committee of Council including community representatives from a range of special interest community groups. Nominations for membership have been received in accordance with the Group Constitution 11 July 1995 Amended 23/7/19.

This report considers nominations received for the Heritage Group.

OFFICER'S RECOMMENDATION

THAT

1. Nominations received for membership of the Maitland City Heritage Group be accepted as outlined in the table provided.

COUNCIL RESOLUTION

THAT

1. Nominations received for membership of the Maitland City Heritage Group be accepted as outlined in the table provided.

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

11.2 DA 2022/230 FOR ALTERATIONS AND ADDITIONS TO EXISTING TOURISM FACILITY (MAITLAND GAOL) AT 6-18 JOHN STREET EAST MAITLAND 2323 (LOT: 469 DP 1002766)

FILE NO:	2022/230
ATTACHMENTS:	1. Locality Plan 2. Architectural Plan Set 3. Planners Assessment 4. Conditions of Consent 5. Redacted Submission
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Ashton - Manager Development & Compliance Kristy Cousins - Coordinator Planning & Development
AUTHOR:	Emmilia Johnstone - Town Planner
APPLICANT:	Maitland City Council
OWNER:	The State of New South Wales
PROPOSAL:	Alterations and Additions to Tourism Facility (Maitland Gaol)
LOCATION:	6-18 John Street, East Maitland 2323
ZONE:	SP3 – Tourist

EXECUTIVE SUMMARY

The purpose of this report is to provide a detailed discussion and assessment of Development Application No. (DA) 2022/230 for Alterations and Additions to an existing tourism facility (Maitland Gaol) at Lot 469 DP 1002766, 6-18 John Street East Maitland. The matter is reported to Council in accordance with the 'Delegations of Authority' for the General Manager dated 12 June 2018, Section 3(b)(iv), due to a submission received upon notification.

Maitland Correctional Centre (Maitland Gaol) is a State listed heritage item (I52) of which has seen adaptive reuse as a tourism facility. The proposal will provide an additional activity within the existing tourism facility, being 'The Tower Experience'. The alterations and additions will provide a new internal staircase to provide access to the existing guard towers to enable a pedestrian tour along the Gantry walkways between tower 1 and tower 6.

The development is supported with a heritage impact statement (HIS) of which considers the extent of impact upon the heritage value of the State listed item, as well as the impact upon the broader curtilage of the East Maitland Heritage Conservation Area. The development was referred to the Heritage Council of NSW as Integrated Development, per Section 52 of the Heritage Act 1977 and subsequently supported with General Terms of Approval.

The proposed development is acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.

OFFICER'S RECOMMENDATION

THAT

1. **DA 2022/230 for Alterations and additions to existing tourism facility (Maitland Goal) be approved subject to the recommended conditions of consent provided in Attachment 4.**

COUNCIL RESOLUTION

THAT

1. **DA 2022/230 for Alterations and additions to existing tourism facility (Maitland Goal) be approved subject to the recommended conditions of consent provided in Attachment 4.**

Moved Cr R Aitchison, Seconded Cr M Yarrington

CARRIED

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 12 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

12 CULTURE, COMMUNITY AND RECREATION

12.1 MOBILE CCTV TRIAL FOR THE MAITLAND LGA

FILE NO:	35/7/4
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Laurie D'Angelo-Edmonds - Manager Community and Recreation
AUTHOR:	David Baker - Team Leader Community and Recreation Planner Whitney Hainey - Community Planner
MAITLAND +10	Outcome 1.To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.3.1 Design and manage our public spaces to ensure people feel safe

EXECUTIVE SUMMARY

Further investigations have been undertaken to understand the use and outcomes of Mobile CCTV to address issues of anti-social behaviour and vandalism by other Councils. This report provides a summary of these investigations across comparative local Councils

OFFICER'S RECOMMENDATION

THAT

1. The research findings and local comparison into the use of Mobile CCTV is noted.
2. Council note that the research findings indicate that Council's current use of fixed CCTV is consistent with that of comparative local Councils.
3. Council notes that the use of Mobile CCTV with local comparative Councils is limited and therefore the cost benefit and effectiveness of implementing Mobile CCTV to reduce antisocial behaviour cannot be measured and is therefore not recommended.
4. Council continues to use fixed CCTV for asset protection at key locations as required.

PROCEEDINGS IN BRIEF

A motion was moved.

(Cr B Hackney / Cr M Yarrington)

THAT

1. Council write to the Federal Minister for Home Affairs the Hon. Clare O'Neil MP and our federal members Meryl Swanson MP, Member for Maitland and Dr David Gillespie MP, Member for Lyne seeking a response as to the suitability of a Maitland City Council trial mobile CCTV project being funded through Round 7 of the Safer Communities Fund (funded under the Proceeds of Crime Act 2002).
2. Council write to appropriate NSW Minister & Shadow Minister seeking their support for such funding; and
3. The General Manager report back on any responses by December 2022, and include in the report, an assessment of the Tamworth and Albury council mobile CCTV trials and how they may assist our case.

The motion when put to Council was declared carried.

COUNCIL RESOLUTION

THAT

1. **Council write to the Federal Minister for Home Affairs the Hon. Clare O'Neil MP and our federal members Meryl Swanson MP, Member for Maitland and Dr David Gillespie MP, Member for Lyne seeking a response as to the suitability of a Maitland City Council trial mobile CCTV project being funded through Round 7 of the Safer Communities Fund (funded under the Proceeds of Crime Act 2002).**
2. **Council write to appropriate NSW Minister & Shadow Minister seeking their support for such funding; and**
3. **The General Manager report back on any responses by December 2022, and include in the report, an assessment of the Tamworth and Albury council mobile CCTV trials and how they may assist our case.**

Moved Cr B Hackney, Seconded Cr M Yarrington

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

12.2 CREATIVE CAPITAL GRANT FUNDING - CODESIGN GARDEN PROJECT MRAG

FILE NO:	11/5
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation
AUTHOR:	Gerry Bobsien - Gallery Director
MAITLAND +10	Outcome 5. To celebrate what makes our city unique - our history, our people and our river
COUNCIL OBJECTIVE:	5.1.1 Curate and promote our unique history through our collections, museums, and experiences

EXECUTIVE SUMMARY

The NSW Government has introduced \$60 million in strategic funding over two years for the delivery of new and improved cultural infrastructure across NSW. The Creative Capital fund has been established to meet the demands for facilities to support the creative economy and improve access to and participation in quality cultural experiences across NSW.

Council is invited to apply for the Minor Works and Equipment Projects – grants of \$5,000 to \$250,000 in the second round of this funding tranche.

On 14 June 2022, Council was provided with an information report outlining the development of a garden that will be developed as public open space at Maitland Regional Art Gallery (MRAG). This was a project seed funded by Rotary Sunrise and supported by the University of Newcastle. The project aims to engage Aboriginal communities in the region and beyond through a public open space framework which will host a range of events and activities.

OFFICER'S RECOMMENDATION**THAT**

- 1. Council endorse the application for \$230,000 funding to the Create NSW Creative Capital Fund for the construction of the codesign garden project on the MRAG grounds.**

COUNCIL RESOLUTION

THAT

1. Council endorse the application for \$230,000 funding to the Create NSW Creative Capital Fund for the construction of the codesign garden project on the MRAG grounds.

Moved Cr R Aitchison, Seconded Cr L Baker

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

13 INFRASTRUCTURE AND WORKS

Nil

14 STRATEGY, PERFORMANCE AND BUSINESS SYSTEMS

14.1 COUNCILLOR EXPENSES AND FACILITIES FOR THE PERIOD ENDING 30TH JUNE 2022

FILE NO:	35/36/10
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Stephen McDonald - Manager Governance and Risk
AUTHOR:	Guy Gray - Senior Governance Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1 Ensure our city infrastructure, services and finances are managed sustainably and transparently

EXECUTIVE SUMMARY

Council's adopted 'Councillor Expenses and Facilities Policy' establishes the framework under which the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties is administered.

The policy requires that detailed reports on the provision of expenses and facilities to councillors be publicly available at a council meeting every six months and published in full on council's website. These requirements have been met through the provision of this report for the six months to 30 June 2022, being the first expenses and facilities report for this term of Council.

OFFICER'S RECOMMENDATION

THAT

1. The information contained in this report be noted.

COUNCIL RESOLUTION

THAT

1. The information contained in this report be noted.

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

14.2 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2022

FILE NO:	35/48
ATTACHMENTS:	1. 2022 Motions Submission Guide
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Kate Webber - Executive Support Officer
MAITLAND +10	Outcome 14. To have elected Leaders that look out for us
COUNCIL OBJECTIVE:	14.3.1 Ensure Councillors have access to professional development and support required to enable them to best fulfill their role

EXECUTIVE SUMMARY

The Local Government NSW (LGNSW) Annual Conference will be held from 23 to 25 October 2022 in the Hunter Valley. The conference provides an opportunity for Councillors to share ideas, seek inspiration and help determine policy directions for the coming year.

This report is presented to Council to facilitate conference attendance by representatives of Council, and to determine voting delegates of Council for the purpose of voting on motions presented to the conference.

OFFICER'S RECOMMENDATION

THAT

- 1. Councillors wishing to attend the conference nominate for endorsement by Council;**
- 2. Council nominate four (4) attending Councillors as voting delegates on motions at the Annual Conference;**
- 3. The names of Council's voting delegates be forwarded to LGNSW by 10 October 2022;**
- 4. Council note that any submissions on motions need to be submitted by 25 September 2022.**

PROCEEDINGS IN BRIEF

Prior to moving a motion Mayor P Penfold asked that any councillor wishing to attend the conference indicate their interest. In response, Cr M Griffin and Cr S Halliday indicated their interest.

There being no other interest indicated, the following motion was moved:
(Moved Mayor P Penfold, Seconded Cr S Halliday)

THAT

1. Council nominate Cr Mitchell Griffin and Cr Sally Halliday as voting delegates on motions at the Annual Conference;
2. The names of Council's voting delegates be forwarded to LGNSW by 10 October 2022;
3. Council note that any submissions on motions need to be submitted by 25 September 2022.

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT

1. **Council nominate Cr Mitchell Griffin and Cr Sally Halliday as voting delegates on motions at the Annual Conference;**
2. **The names of Council's voting delegates be forwarded to LGNSW by 10 October 2022;**
3. **Council note that any submissions on motions need to be submitted by 25 September 2022.**

Moved Mayor P Penfold, Seconded Cr S Halliday

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

15 DIGITAL TRANSFORMATION

Nil

16 WORKPLACE CULTURE AND SAFETY

Nil

17 VIBRANT CITY

17.1 AWARDS AND RECOGNITION COMMITTEE

FILE NO:	35/12
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Rachel MacLucas - Executive Manager Vibrant City
AUTHOR:	Kelsie Wilson - Executive Assistant
MAITLAND +10	Outcome 16. To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.2.1 Recognise community contributions to the city through Council's civic programs

EXECUTIVE SUMMARY

There are currently a number of committees where Council delegates are appointed to assess nominations and select individuals who should be recognised for their achievements and contributions in the Maitland community.

This report proposes the consolidation of these groups to form one committee, the Awards and Recognition Committee, with terms of reference presented to the next meeting of Council.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorse consolidation of the Australia Day Group, Hall of Fame Committee and Maitland City Service Awards Committee to create a single Awards and Recognition Committee;**
- 2. A report be presented to the meeting of 23 August 2022 with a draft Terms of Reference for the Awards and Recognition Committee.**

COUNCIL RESOLUTION

THAT

- 1. Council endorse consolidation of the Australia Day Group, Hall of Fame Committee and Maitland City Service Awards Committee to create a single Awards and Recognition Committee;**
- 2. A report be presented to the meeting of 23 August 2022 with a draft Terms of Reference for the Awards and Recognition Committee.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

17.2 REGIONAL NSW - BUSINESS CASE AND STRATEGY DEVELOPMENT FUND

FILE NO:	60/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Rachel MacLucas - Executive Manager Vibrant City
AUTHOR:	Matt vanderWall - Manager City Experiences and Economy
MAITLAND +10	Outcome 9. To show off our city
COUNCIL OBJECTIVE:	9.1.3 Progress the delivery of the Maitland Gaol Development Plan

EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement to apply for funding under the Regional NSW Business Case and Strategy Development Fund to facilitate the development of a business case for the Hotel Development outlined in the Maitland Gaol Development Plan.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses submitting an application under the Regional NSW - Business Case and Strategy Development Fund to develop a business case for the hotel development outlined in the Maitland Gaol Development Plan.

COUNCIL RESOLUTION

THAT

1. Council endorses submitting an application under the Regional NSW - Business Case and Strategy Development Fund to develop a business case for the hotel development outlined in the Maitland Gaol Development Plan.

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

For:

Cr R Aitchison
Cr L Baker
Cr K Ferguson
Cr S Fisher
Cr P Garnham
Cr M Griffin
Cr B Hackney
Cr S Halliday
Mayor P Penfold
Cr K Ranadive
Cr B Whiting
Cr M Yarrington

Against:

18 ITEMS FOR INFORMATION

Nil

19 NOTICES OF MOTION/RESCISSION

Nil

20 QUESTIONS WITH NOTICE

Nil

21 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 6.28 pm.

Moved Cr Griffin, Seconded Cr Fisher

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and close the meeting to the public at 6.29 pm.

Moved Cr Griffin, Seconded Cr Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

22 COMMITTEE OF THE WHOLE

22.1 CONSIDERATION OF TENDERS - METALS COLLECTION AND RECYCLING CONTRACT

FILE NO:	55/2
ATTACHMENTS:	1. Evaluation of Tender - 2022.137.2079
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability Michelle Lindsay - Operations Manager Waste Services
AUTHOR:	Sarah Jackson - Waste Officer
MAITLAND +10	Outcome 13. To reduce our waste
COUNCIL OBJECTIVE:	13.1 Limit the amount of waste we create and send to landfill

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

EXECUTIVE SUMMARY

Tenders were called to engage a suitably qualified and experienced contractor to efficiently and sustainably manage metal items and lead acid batteries received at the Mt Vincent Road Waste Management Centre.

This report provides details of the tender assessment and a recommendation to award a contract for the works. This report is being presented to the Committee of the Whole as it contains confidential commercial information.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows:

(d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

COUNCIL RESOLUTION**THAT**

1. Council enter into contract at the tendered rate with InfraBuild Recycling for the collection and recycling of metals and lead acid batteries from the Mt Vincent Rd Waste Management Centre. The contract will commence 10 August 2022 for a term of two (2) years with a six-month option to extend based on satisfactory contractor performance.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

22.2 CONSIDERATION OF TENDERS - COMMUNITY RECYCLING CENTRE CONSTRUCTION - MT VINCENT ROAD WASTE FACILITY

FILE NO:	2022/137/2087
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Andrew Betts - Group Manager Infrastructure & Works Ashley Kavanagh - Manager Works
AUTHOR:	Kynan Lindus - Civil Engineer
MAITLAND +10	Outcome 13. To reduce our waste
COUNCIL OBJECTIVE:	13.1.4 Complete construction of the Mount Vincent Waste Transfer Station

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

EXECUTIVE SUMMARY

Tenders were called to engage a suitably qualified and experienced contractor to complete the construction of the Community Recycling Centre at the Mt Vincent Road Waste Facility, which will form Stage 1 of the Mt Vincent Waste Transfer Station construction. Four tenders were received and assessed by a tender review panel. This report provides details of the tender assessment and a recommendation to award a contract for the works. This report is being presented to the Committee of the Whole as it contains confidential information.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows:

(d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

COUNCIL RESOLUTION

THAT

- 1. Council accepts the tender of KCE Pty Limited for the construction of the Community Recycling Centre, in the amount of \$3,081,000.00 excluding GST.**
- 2. Council approve variation expenditure to the contract amount of \$650,000 excluding GST for potential unsuitable subgrade materials and 10% contingency of contract sum for any other unexpected variations during construction.**
- 3. The common seal of Council be affixed to the contract documents.**

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

22.3 LARGE SITE AND STREET LIGHTING ELECTRICITY CONTRACT

FILE NO:	55/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment
AUTHOR:	Ben Maddox - Principal Sustainability Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

EXECUTIVE SUMMARY

On Thursday 21 July 2022, Council was informed by the Australian Energy Regulator (AER) that a Retailer of Last Resort (RoLR) event had occurred in relation to Mojo Power East Pty Limited (MPE). The triggering of a RoLR event resulted in the AER transferring the provision of energy for Council's large sites (Administration Building, Maitland Regional Art Gallery and Maitland Aquatic Centre) and street lighting to Energy Australia.

The RoLR event has not resulted in any loss of energy to Council's facilities and continuous supply of energy will not be affected by the RoLR event. The purpose of this report is to inform Council of the outcome of prices received from available procurement pathways and recommends entering a two year contract for provision of electricity to Council's large sites and street lighting.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

COUNCIL RESOLUTION

THAT

- 1. Council accept the offer of Shell Energy to supply Council with retail energy to its large sites and street lighting for the period 19 July 2022 to 30 June 2024.**

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

Council resumed into Ordinary Council at 6.49 pm.

Moved Cr Griffin, Seconded Cr Halliday

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

23 COMMITTEE OF THE WHOLE RECOMMENDATIONS

The General Manager read the Recommendation from the Committee of the Whole/Closed Session as follows:

22.1 CONSIDERATION OF TENDERS - METALS COLLECTION AND RECYCLING CONTRACT

THAT

1. Council enter into contract at the tendered rate with InfraBuild Recycling for the collection and recycling of metals and lead acid batteries from the Mt Vincent Rd Waste Management Centre. The contract will commence 10 August 2022 for a term of two (2) years with a six-month option to extend based on satisfactory contractor performance.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

22.2 CONSIDERATION OF TENDERS - COMMUNITY RECYCLING CENTRE CONSTRUCTION - MT VINCENT ROAD WASTE FACILITY

THAT

1. Council accepts the tender of KCE Pty Limited for the construction of the Community Recycling Centre, in the amount of \$3,081,000.00 excluding GST.
2. Council approve variation expenditure to the contract amount of \$650,000 excluding GST for potential unsuitable subgrade materials and 10% contingency of contract sum for any other unexpected variations during construction.
3. The common seal of Council be affixed to the contract documents.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

22.3 LARGE SITE AND STREET LIGHTING ELECTRICITY CONTRACT

THAT

1. Council accept the offer of Shell Energy to supply Council with retail energy to its large sites and street lighting for the period 19 July 2022 to 30 June 2024.

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

Council resolved that the recommendations of the Closed Session of the Committee of the Whole be adopted.

Move Cr P Garnham, Seconded Cr M Griffin

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

24 CLOSURE

The meeting was declared closed at 6.52 pm.

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Chairperson