

ORDINARY MEETING

MINUTES

13 SEPTEMBER 2022

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PRESENT

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

A one minute silence was observed as a mark of respect for the passing of Her Majesty Queen Elizabeth II.

1 INVOCATION

Pastor Tim Cooper read the customary prayer at the commencement of the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The General Manager read the Acknowledgement of Country.

Cr K Ranadive arrived at Council meeting at 5:35pm

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

COUNCIL RESOLUTION

THAT the apology received for the unavoidable absence of Cr K Ferguson be accepted and leave of absence granted, and the remote attendance of Cr S Fisher be accepted.

Moved Cr R Aitchison, Seconded Cr P Garnham

CARRIED

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

4 DECLARATIONS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 23 August 2022 be confirmed.

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

For: Cr R Aitchison Against:
 Cr L Baker
 Cr S Fisher
 Cr P Garnham
 Cr M Griffin
 Cr B Hackney
 Cr S Halliday
 Cr B Mitchell
 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:

- 14.7 Memorandum of Understanding Walka Water Works
- 22.5 Regional Tourism Activation Fund Round 2 Funding Opportunity

COUNCIL RESOLUTION

THAT

1. Council accept the Late Items 14.7 – Memorandum of Understanding Walka Water Works, and 22.5 – Regional Tourism Activation Fund Round 2 Funding Opportunity.
2. Defer consideration of Item 14.7 Memorandum of Understanding Walka Water Works until we have dealt with Item 22.5 in Committee of the Whole in closed session.

Moved Cr P Penfold, Seconded Cr P Garnham

CARRIED

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

8 PUBLIC ACCESS

Jeff Crowe representing himself, spoke **against** item 11.1 DA 2022/175 for proposed animal boarding and training establishment (arena and training) and intensive livestock agriculture (horse agistment) at 240 scotch creek road millers forest (lot: 144 DP 882115)

Darryl Sullivan representing himself, spoke **against** item 11.1 DA 2022/175 for proposed animal boarding and training establishment (arena and training) and intensive livestock agriculture (horse agistment) at 240 scotch creek road millers forest (lot: 144 DP 882115)

Richard Bennett representing Emma Dwyer - property owner, spoke **for** item 11.1 DA 2022/175 for proposed animal boarding and training establishment (arena and training) and intensive livestock agriculture (horse agistment) at 240 scotch creek road millers forest (lot: 144 DP 882115)

Julie Randell representing herself, spoke **for** item 11.2 DA2022/1042 Home business - Lot 4 DP 225727 27 Spotted Gum Grove Thornton

9 MAYORAL MINUTE

9.1 THE PASSING OF QUEEN ELIZABETH II

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

MAYORAL MINUTE

THAT

- 1. Council note and support the below statement on the passing of Her Late Majesty Queen Elizabeth II**
- 2. The Council resolve to commence the process to rename Minsters Park (adjoining the Maitland Visitor Information Centre site) 'Queen Elizabeth II Park'.**

On behalf of the people of Maitland, I extend our deepest sympathies to all those impacted by the death of Her Late Majesty Queen Elizabeth II, who has passed away at the age of 96 on 8 September 2022. Queen Elizabeth II ascended the throne in 1952 and became the longest reigning British monarch, Australian sovereign and leader of the Commonwealth of Nations, which she navigated for 70 years with dignity and courage.

Throughout her reign, Queen Elizabeth II was prolific in her visits to both Commonwealth and other nations. She visited the Hunter region on four occasions drawing huge crowds of well-wishers. While we mourn her passing, the City of Maitland offers thanks for her lifetime of public duty to the Crown, the Commonwealth, and to millions of people across the globe.

Council also welcomes the ascension of His Majesty King Charles III. King Charles himself has a lifeline long history of service to the people of the Commonwealth, which will undoubtedly continue throughout his reign. In fact, King Charles III already has an association with Maitland from his visit in 1983, which many members of the community would remember with fondness.

COUNCIL RESOLUTION

THAT

1. Council note and support the below statement on the passing of Her Late Majesty Queen Elizabeth II
2. The Council resolve to commence the process to rename Minsters Park (adjoining the Maitland Visitor Information Centre site) 'Queen Elizabeth II Park'.

Moved Mayor P Penfold

CARRIED

For:

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

Against:

10 GENERAL MANAGER'S REPORTS

Nil

11 PLANNING AND ENVIRONMENT

11.1 DA 2022/175 FOR PROPOSED ANIMAL BOARDING AND TRAINING ESTABLISHMENT (ARENA AND TRAINING) AND INTENSIVE LIVESTOCK AGRICULTURE (HORSE AGISTMENT) AT 240 SCOTCH CREEK ROAD MILLERS FOREST (LOT: 144 DP 882115)

FILE NO:	2022/175
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Locality Plan 2. Development Plans 3. Planners Assessment Report (Under Separate Cover) 4. Recommended Conditions of Consent 5. Redacted Submissions (Under Separate Cover)
RESPONSIBLE OFFICER:	<p>Matthew Prendergast - Group Manager Planning & Environment</p> <p>Andrew Ashton - Manager Development & Compliance</p> <p>Kristy Cousins - Coordinator Planning & Development</p>
AUTHOR:	Emmilia Johnstone - Town Planner
APPLICANT:	Elite Equestrian Millers Forest
OWNER:	Eastern Hill Investments Pty Ltd
PROPOSAL:	Animal Boarding and Training Establishment (arena and training) and intensive livestock agriculture (agistment)
LOCATION:	240 Scotch Creek Road MILLERS FOREST NSW 2324 (Lot: 144 DP 882115)
ZONE:	RU1 – Primary Production

EXECUTIVE SUMMARY

Council is in receipt of Development Application 2022/175 seeking approval for an Animal Boarding and Training Establishment (arena and training) and intensive livestock agriculture (agistment) at 240 Scotch Creek Road, Millers Forest.

The Development Application has been assessed against the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulations 2000, relevant Environmental Planning Instruments and Council Policies. The outcome of this assessment is detailed within the Planners Assessment Report ([Attachment 3](#)).

The application was lodged as a result of ongoing compliance action attributed to the unauthorised construction of a horse arena and lighting infrastructure associated with the existing, approved, horse stables. The subject application seeks to regularise the use of the arena for equestrian training.

The Development Application was publicly exhibited between 16th March and 30th March 2022. In total, thirteen (13) submissions were received. All submissions were in objection to the proposal. The issues and concerns raised in the submissions have been addressed during the assessment of the application. A copy of the submissions are contained in Attachment 5.

The proposed development is considered appropriate subject to conditions of consent and the removal of the lighting component, given the assessment of the application and the compliance with relevant State Environmental Planning Policies and relevant considerations in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The land is appropriately zoned for the use as an animal boarding and training establishment and intensive livestock agriculture. Existing utility services are available to the site and the location of the proposed structures is considered suitable. The proposed development is not expected to create any significant impacts upon the existing rural landscape character of the land and provides for a permissible agricultural based use.

Based on the assessment, it is recommended that the Development Application be approved subject to the conditions of consent included as Attachment 4 of this report.

OFFICER'S RECOMMENDATION

THAT

- 1. DA 2022/175 for Animal Boarding and Training Establishment (arena and training) and intensive livestock agriculture (agistment) at 240 Scotch Creek Road Millers Forest, is approved subject to the conditions provided in Attachment 4.**

PROCEEDINGS IN BRIEF

A motion was moved
(Cr M Griffin / Cr S Halliday)

THAT the application be refused for the following reasons:

1. The proposed development does not align with the Aims of the Maitland Local Environmental Plan 2011, being Clause 1.2(d)(i) to protect, enhance or conserve the natural resources of Maitland including the following: areas of high scenic rural quality (*Section 4.15(1)(a)(i) Environmental Planning and Assessment Act 1979*).
2. The proposed development is not consistent with the objectives of the RU2 Rural Landscape zone under the Maitland Local Environmental Plan 2011.
3. The proposed development is not supported by adequate information.

- i. A lighting nuisance report prepared by a suitably qualified consultant in accordance with AS4282-1997 which assesses the offsite lighting impacts of the stadium lights on surrounding residential receivers.
- ii. A plan detailing the discharge of collected stormwater runoff prepared by a suitably qualified engineer, showing levels, pipe sizes and calculated flow volume/velocity at the existing legal point of discharge.

(Section 4.15(1)(b) Environmental Planning and Assessment Act 1979).

4. The proposed development is considered to have an unreasonable environmental impact on the social, natural and built environment as a result of lack of information and has not sufficiently demonstrated that the proposal has mitigated all likely environmental impacts *(Section 4.15 (b) Environmental Planning and Assessment Act 1979).*
5. Issues of concern raised in public submissions which largely relate to rural character and traffic and subsequent amenity issues. *(Section 4.15(1)(d) Environmental Planning and Assessment Act 1979).*

The motion for refusal when put to the meeting was declared lost.

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

The division resulted in 4 for and 8 against, as follows:

For:	Cr M Griffin Cr S Halliday Cr B Mitchell Mayor P Penfold	Against:	Cr R Aitchison Cr L Baker Cr S Fisher Cr P Garnham Cr B Hackney Cr K Ranadive Cr B Whiting Cr M Yarrington
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The officers recommendation was moved with the inclusion in conditions of consent of the following:

(Cr P Garnham / Cr M Yarrington)

1. No consent is granted or implied for the use of the 'open-field overflow parking' area shown on Proposed Site and Stormwater Plan (Reference: 19037, sheet DA03, dated: 24 October 2019).
2. Remove reference to Anambah.

An amendment was moved by Cr B Hackney to defer this item for a period of one month to seek further advice.

(Moved: Cr B Hackney / Seconder: NIL)

There being no seconder, the amendment lapsed.

The motion when put to the meeting was declared carried.

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

The division resulted in 8 for and 4 against, as follows:

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

COUNCIL RESOLUTION

THAT

1. **DA 2022/175 for Animal Boarding and Training Establishment (arena and training) and intensive livestock agriculture (agistment) at 240 Scotch Creek Road Millers Forest, is approved subject to the conditions provided in Attachment 4.**
2. **Include in the conditions of consent the following:**
 - a. **No consent is granted or implied for the use of the 'open-field overflow parking' area shown on Proposed Site and Stormwater Plan (Reference: 19037, sheet DA03, dated: 24 October 2019).**
 - b. **Remove reference to Anambah.**

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

**11.2 DA2022/1042 HOME BUSINESS - LOT 4 DP 225727 27 SPOTTED GUM GROVE
THORNTON
RECOMMENDATION: APPROVAL**

FILE NO: DA2021/1042

ATTACHMENTS:

1. Locality Plan
2. Development Plans
3. Planners Assessment Report
4. Recommended Conditions of Consent
5. Submissions

RESPONSIBLE OFFICER: Matthew Prendergast - Group Manager Planning & Environment
Kristy Cousins - Coordinator Planning & Development
Brian Gibson - Principal Planner

AUTHOR: Adrian Quinn - Senior Development Planner

APPLICANT: Perception Planning

OWNER: Julie and Steve Randell

PROPOSAL: Home Business

LOCATION: 27 Spotted Gum Grove, Thornton, Lot 4, DP 225727

ZONE: C4 - Environmental Living

EXECUTIVE SUMMARY

Council is in receipt of Development Application 2021/1042 seeking approval for a Home Business at 27 Spotted Gum Grove Thornton. This application is the result of Council compliance action and seeks to regulate a scaled-down home business operation (depot for a concreting business) to within that which is permitted under the Environmental Planning & Assessment Act (EP&A Act)– i.e. a home business that is suitable for the site, C4 Environmental living zone and compliant with the relevant land use definition of 'home business'.

The proponent seeks a home business for the parking of a truck and storage of equipment belonging to the residents' concreting business, involving the following:

- *The home business includes 1 resident operator and 50m² of floor space only*
- *Parking area for one truck inside the existing 400m² shed (more trucks may be parked, but only one will be in use at any one time as part of the home business)*
- *Storage of equipment for business use in a designated area adjacent to the truck parking (i.e. positrack).*
- *The operation of trucks one at a time (by the one resident operator)*
- *It is noted that no idling in or in front of the shed is proposed – trucks will leave the shed immediately after starting.*
- *Proposed hours of operation are 06:30-08:00 and 15:00-17:00 Monday to Saturday*

The Development Application was publicly exhibited between 23 September and 7 October 2021. One (1) submission was received during the exhibition period.

Key issues identified during the assessment process are as follows:

- One submission was received in objection to the proposal, citing noise and unsightly matter as issues of concern.*
- Residential amenity impacts*
- Environmental pollution*

Conditions of consent have been recommended to address the impacts of the proposal, as follows:

- Acoustic report supports the proposal in its residential/environmental conservation context, with conditions of consent requiring compliance with this.*
- Landscape screening was requested and has been shown on plans, to address visual impact.*
- Floor plan depicts a limited to less than 50m² floor area used for the home business.*

Noise, wind-blown dust and sedimentation issues are minimal and acceptable under this proposal where storage of vehicles, equipment and matter relating to the concreting business will be inside the shed and the number of vehicles will be reduced compared with the former level of activity.

Based on the assessment, it is recommended that the Development Application be approved subject to the recommended conditions of consent included as Attachment 4 of this report.

OFFICER'S RECOMMENDATION

THAT

- 1. DA 2021/1042 for a home business at 27 Spotted Gum Grove, Thornton be approved, subject to the recommended conditions of consent provided in Attachment 4 of this report.**

COUNCIL RESOLUTION

THAT

- 1. DA 2021/1042 for a home business at 27 Spotted Gum Grove, Thornton be approved, subject to the recommended conditions of consent provided in Attachment 4 of this report.**

Moved Cr B Hackney, Seconded Cr P Garnham

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 S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

11.3 DA 2022/295 FOR LIGHT INDUSTRY (19 UNITS), RETAINING WALLS AND SIGNAGE AT 5 AND 7 KESTRAL AVENUE THORNTON, LOT 602 AND LOT 603 DP 1005289

FILE NO:	2022/295
ATTACHMENTS:	1. Development Plans (Under Separate Cover) 2. Planners Assessment Report 3. Recommended Conditions of Consent
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Ashton - Manager Development & Compliance Kristy Cousins - Coordinator Planning & Development
AUTHOR:	Emmilia Johnstone - Town Planner
APPLICANT:	Levant Investment Group Pty Ltd
OWNER:	Levant Investment Group Pty Ltd
PROPOSAL:	Light Industry (19 units) retaining walls, signage and Strata Subdivision
LOCATION:	Lots 602 and 603 of DP 1005289, 5-7 Kestral Avenue Thornton
ZONE:	B5 – Business Development

EXECUTIVE SUMMARY

The purpose of this report is to provide a detailed discussion and assessment of Development Application No. DA/2022/295 proposing Light Industry (19 units), retaining wall, signage, and Strata Subdivision. The matter is reported to Council in accordance with the 'Delegations of Authority' for the General Manager dated 12 June 2018, Section 3(b)(iii), due to the estimated cost of works exceeding \$5 million.

The proposal is deemed compliant with all relevant assessment criteria. The premises shall be situated upon land that is zoned B5 Business Development and is consistent with the objectives of the zone. The built form is relative to the scale and character of the surrounding commercial area.

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 2022/295 for Light Industry (19 units) Retaining Walls, Signage and Strata Subdivision be approved subject to the recommended conditions of consent provided in Attachment 3.

COUNCIL RESOLUTION

THAT

1. DA 2022/295 for Light Industry (19 units) Retaining Walls, Signage and Strata Subdivision be approved subject to the recommended conditions of consent provided in Attachment 3.

Moved Cr M Yarrington, Seconded Cr P Garnham

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 S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

12 CULTURE, COMMUNITY AND RECREATION

12.1 SECTION 356 ANNUAL COMMUNITY GRANTS PROGRAM

FILE NO:	10/5/23
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Cordelia Hough - Coordinator Community and Recreation Planning David Baker - Team Leader Community and Recreation Planner
AUTHOR:	Jessica Elliott - Community Development & Programs Officer
MAITLAND +10	Outcome 1.To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1.4 Deliver vibrant and valued community events and programs

EXECUTIVE SUMMARY

This report presents to Council a recommendation of the Annual Community Grants Program 2022/2023 applications for financial assistance under Section 356 of the Local Government Act 1993.

Councils Section 356 Annual Community Grants Program aims to provide financial support to local non-profit community-based organisations groups and individuals to assist with projects that meet community needs and benefit residents in the community.

OFFICER'S RECOMMENDATION

THAT

- 1. Council approve the allocations of funds for the Annual Community Grants Program under Section 356 of the Local Government Act, 1993 as recommended for Projects listed one (1) to sixteen (16) of this report.**
- 2. Council formally thanks all eighteen (18) applicants for their submission and advises them of Council's decision.**

COUNCIL RESOLUTION

THAT

- 1. Council approve the allocations of funds for the Annual Community Grants Program under Section 356 of the Local Government Act, 1993 as recommended for Projects listed one (1) to sixteen (16) of this report.**
- 2. Council formally thanks all eighteen (18) applicants for their submission and advises them of Council's decision.**

Moved Cr S Halliday, Seconded Cr B Hackney

CARRIED

For:

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

Against:

13 INFRASTRUCTURE AND WORKS

13.1 LOCAL TRAFFIC COMMITTEE MEETING MINUTES & EVENT TRAFFIC AND TRANSPORT MANAGEMENT - AUGUST 2022

FILE NO:	149/5
ATTACHMENTS:	<ol style="list-style-type: none">1. LTC August 2022 Minutes2. LTC July 2022 Minutes3. NAIDOC Street March LTC Agenda Item 5.44. Maitland Riverlights Multicultural Festival LTC Agenda Item 5.15. Maitland (Morpeth) Triathlon LTC Agenda Item 5.2
RESPONSIBLE OFFICER:	Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2. To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.2 Make our roads safer through the timely delivery of road maintenance and safety programs

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Traffic Committee meeting held Thursday 4 August 2022 are attached for information. At this meeting temporary road closure applications were considered and accepted for a number of events. Council resolution is required to implement the temporary road closures associated with the management of the events.

OFFICER'S RECOMMENDATION

1. That the Local Traffic Committee meeting minutes of 4 August 2022 be noted.
2. Council approve the traffic management plans and road closures for the following events:
 - a. NAIDOC Street March
 - b. Maitland Riverlights Multicultural Festival
 - c. Maitland (Morpeth) Triathlon.

COUNCIL RESOLUTION

1. That the Local Traffic Committee meeting minutes of 4 August 2022 be noted.
2. Council approve the traffic management plans and road closures for the following events:
 - a. NAIDOC Street March
 - b. Maitland Riverlights Multicultural Festival
 - c. Maitland (Morpeth) Triathlon.

Moved Cr S Halliday, Seconded Cr P Garnham

CARRIED

For:

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

Against:

14 STRATEGY, PERFORMANCE AND BUSINESS SYSTEMS

14.1 BUDGET CARRY OVERS FROM 2021/22 TO 2022/23

FILE NO:	2/8/24
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Michael Burfitt - Chief Financial 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

EXECUTIVE SUMMARY

On 14 June 2022 Council adopted the Operational Plan for 2022/23 which included the budget. A number of works that were included in the Operational Plan for 2021/22 were not completed as at 30 June 2022. These works have been identified and included as Internally Restricted Assets in Council's financial statements for the year ended 30 June 2022, to ensure that funds are set aside to finance the works.

OFFICER'S RECOMMENDATION

THAT

1. The budget carry over works from 2021/22 be approved and form part of the Operational Plan for 2022/23.

COUNCIL RESOLUTION

THAT

1. The budget carry over works from 2021/22 be approved and form part of the Operational Plan for 2022/23.

Moved Cr M Griffin, Seconded CR S Halliday

CARRIED

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

14.2 NOTIFICATION OF COUNCIL'S NATIVE TITLE MANAGERS TO MINISTER FOR LANDS AND WATER

FILE NO:	18/13
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Stephen McDonald - Manager Governance and Risk Michael Rathborne - Senior Property Advisor
AUTHOR:	Melissa Allen - Property Officer
MAITLAND +10	Outcome 18. A Council for now and future generations
COUNCIL OBJECTIVE:	18.3.1 To nurture a skilled and innovative workforce that delivers optimal service

EXECUTIVE SUMMARY

The Crown Land Management Act 2016 (CLM Act) requires Councils to undertake some functions that were previously managed by Crown Lands. These functions include Native Title compliance for dedicated or reserved Crown land managed by a Council Crown Land Manager (CLM) and land vested in a local Council under Division 4.2 of the CLM Act.

Under Part 8 of the CLM Act, Council CLMs must comply with all requirements of the Commonwealth Native Title Act 1993 (NT Act) and engage or employ at least one Native Title Manager to fulfill these obligations.

Council is required to annually give notice to the Minister responsible for Crown Lands the name and contact details of Council's nominated Native Title Managers.

OFFICER'S RECOMMENDATION

THAT

- 1. Council receive and note the report;**
- 2. Council nominates Stephen McDonald, Michael Rathborne and Melissa Allen as its Native Title Managers;**
- 3. Council give notice to the Minister for Lands and Water of the names and contact details of Council's employed Native Title Managers as required under section 8.8 of the *Crown Land Management Act 2016 (NSW)*.**

COUNCIL RESOLUTION

THAT

- 1. Council receive and note the report;**
- 2. Council nominates Stephen McDonald, Michael Rathborne and Melissa Allen as its Native Title Managers;**
- 3. Council give notice to the Minister for Lands and Water of the names and contact details of Council's employed Native Title Managers as required under section 8.8 of the *Crown Land Management Act 2016 (NSW)*.**

Moved Cr B Whiting, Seconded Cr P Garnham

CARRIED

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

14.3 STRONGER COUNTRY COMMUNITIES ROUND 5 GRANT OPPORTUNITY

FILE NO:	65/30
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Kelly Arnott - Manager Corporate Planning and Performance
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.1 Continue to attain major State and Federal Government grants to deliver new and enhanced infrastructure

EXECUTIVE SUMMARY

Council has had success under the State Government's Stronger Country Communities Fund since 2017. To date, close to \$5 million has been awarded to Council for projects at Bakers Brickyard Playground at Raworth, shared pathway on Cessnock Road from Gillieston Heights to Maitland, shade structures at four local playgrounds, fencing and mowing strips at A&D Lawrence Oval, upgraded change rooms at Lochinvar Sports Complex, a car park at Metford Recreation Reserve, additional lighting at Maitland Croquet Courts, upgrades to Maitland Park netball courts, Woodberry Youth Space, Maitland Park (Outer Fields) amenities, Steamfest Display Shed and Cooks Square Park amenities.

Round 5 of the Stronger Country Communities Fund has now been released, and aims to boost the wellbeing of communities in regional areas by providing new or upgraded social and sporting infrastructure, or community programs that have strong local support.

A total of \$160 million is available, including up to \$50 million for projects delivered by eligible community organisations.

Projects must be for infrastructure or community programs that boost the wellbeing of regional areas through improved amenity and positive social outcomes. Funding is available for local community and sporting infrastructure, street beautification, projects enhancing accessibility and inclusion for people with disability, projects improving outcomes for Aboriginal people, and community programs and local events.

After thorough consideration of the guidelines and capacity to manage and deliver projects, it is recommended that Council proceed with lodgement of eight (8) projects for funding as outlined in this report..

Applications close 23 September 2022, with outcomes announced from November 2022.

OFFICER'S RECOMMENDATION

THAT

1. Council make application to the NSW Government for grant funding under the Stronger Country Communities Fund (Round 5) for the following projects, in priority order:
 1. Pathway and facilities lighting, Maitland Park
 2. Wirraway Park universal toilet and carparking, Thornton
 3. Outer field lighting, Maitland Park
 4. Tennis court surface refurbishment, Rutherford
 5. Play space, Metford Oval, Metford
 6. Shared pathway and exercise stations, Norm Chapman Oval, Rutherford
 7. Tennis court surface refurbishment, Victoria Street, East Maitland
 8. Robins Oval field surface refurbishment, Maitland Park
2. A further report be provided to Council once the result of the applications is known.

COUNCIL RESOLUTION

THAT

1. Council make application to the NSW Government for grant funding under the Stronger Country Communities Fund (Round 5) for the following projects, in priority order:
 1. Pathway and facilities lighting, Maitland Park
 2. Wirraway Park universal toilet and carparking, Thornton
 3. Outer field lighting, Maitland Park
 4. Tennis court surface refurbishment, Rutherford
 5. Play space, Metford Oval, Metford
 6. Shared pathway and exercise stations, Norm Chapman Oval, Rutherford
 7. Tennis court surface refurbishment, Victoria Street, East Maitland
 8. Robins Oval field surface refurbishment, Maitland Park
2. A further report be provided to Council once the result of the applications is known.

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

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

14.4 RESOURCES FOR REGIONS ROUND 9 GRANT FUNDING OPPORTUNITY

FILE NO:	65/21
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Kelly Arnott - Manager Corporate Planning and Performance
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.1 Continue to attain major State and Federal Government grants to deliver new and enhanced infrastructure

EXECUTIVE SUMMARY

Resources for Regions Round 9 provides up to \$140 million to mining communities for new infrastructure and community projects that support economic and social prosperity.

The Maitland Local Government Area is included within the program as a mining impacted community, with Council advised of an allocation of \$2.7 million under this round.

Projects must be for infrastructure or community programs that support the ongoing prosperity of mining and gas exploration communities by providing economic opportunities, improved amenity and positive social outcomes.

After thorough consideration of the guidelines and capacity to manage and deliver projects, it is recommended that Council proceed with lodgement of an application for works in the Maitland Regional Sports Complex, as outlined in this report.

Applications for this round close on 30 September 2022, with outcomes announced from November 2022.

OFFICER'S RECOMMENDATION

THAT

- 1. Council make application to the NSW Government for grant funding of \$2,708,640 under the Resources for Regions Fund (Round 9) for works in the Maitland Regional Sports Complex;**
- 2. A further report be provided to Council once the result of the application is known.**

COUNCIL RESOLUTION

THAT

- 1. Council make application to the NSW Government for grant funding of \$2,708,640 under the Resources for Regions Fund (Round 9) for works in the Maitland Regional Sports Complex;**
- 2. A further report be provided to Council once the result of the application is known.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

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

14.5 FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

FILE NO:	2/8/24
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Michael Burfitt - Chief Financial 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

EXECUTIVE SUMMARY

Council has prepared the financial statements for the year ended 30 June 2022, to be referred to Council's auditors for audit in accordance with Section 413 of the Local Government Act, 1993.

OFFICER'S RECOMMENDATION

THAT

1. Council refers the draft 2021-22 General Purpose Financial Reports for audit;
 2. The statement by Councillors and management as set out in item (A) below, is signed upon completion of the General Purpose Financial Reports when referred to audit:
- (A) In accordance with Section 413(2)(c) of the *Local Government Act, 1993* (NSW) (as amended) the following statement of Council be adopted:
- (a) The attached general purpose financial statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made thereunder.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
 - (b) To the best of our knowledge and belief, these Statements:
 - present fairly the Council's operating result and financial position for the year, and
 - accord with Council's accounting and other records.

- (c) We are not aware of any matter that would render this report false or misleading in any way.

COUNCIL RESOLUTION

THAT

- 1. Council refers the draft 2021-22 General Purpose Financial Reports for audit;**
- 2. The statement by Councillors and management as set out in item (A) below, is signed upon completion of the General Purpose Financial Reports when referred to audit:**

(A) In accordance with Section 413(2)(c) of the *Local Government Act, 1993* (NSW) (as amended) the following statement of Council be adopted:

- (a) The attached general purpose financial statements have been prepared in accordance with:**
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made thereunder.**
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.**
 - The Local Government Code of Accounting Practice and Financial Reporting.**
- (b) To the best of our knowledge and belief, these Statements:**
 - present fairly the Council's operating result and financial position for the year, and**
 - accord with Council's accounting and other records.**
- (c) We are not aware of any matter that would render this report false or misleading in any way.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

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

14.6 INFRASTRUCTURE ACCELERATION FUND PROJECT APPLICATION

FILE NO:	37/7/4
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2. To easily get to where we want to go
COUNCIL OBJECTIVE:	2.1.1 Better align land use and transport planning to move toward the region's target of 15 minute neighbourhoods with access to housing, jobs, services and transport

EXECUTIVE SUMMARY

The NSW Government has released Round 3 of the Accelerated Infrastructure Fund (AIF), an initiative that seeks to co-fund and accelerate the delivery of local infrastructure to support housing supply and job generation in high-growth areas across NSW.

Council is eligible under the fund, with applications closing on 30 September 2022.

It is proposed to nominate three projects listed on the Thornton North Section 94 Contributions Plan 2008 to seek grant funding from the Accelerated Infrastructure Fund (Round 3) to help supplement Thornton North infrastructure works delivery.

OFFICER'S RECOMMENDATION

THAT

- 1. The following identified projects be nominated for consideration for funding as part of the Accelerated Infrastructure Fund (Round 3):**
 - a. Haussman Drive and Raymond Terrace Road intersection works;**
 - b. Haussman Drive Lane duplication between Raymond Terrace Road and Taylor Avenue & Haussman Drive and Taylor Avenue Roundabout;**
 - c. A Sportsground within the Northern Catchment - TN17 (Chisholm) on Public Reserve (Lot 7 DP 126397).**
- 2. A further report be provided to Council once the result of the applications is known.**

COUNCIL RESOLUTION

THAT

1. The following identified projects be nominated for consideration for funding as part of the Accelerated Infrastructure Fund (Round 3):
 - a. Haussman Drive and Raymond Terrace Road intersection works;
 - b. Haussman Drive Lane duplication between Raymond Terrace Road and Taylor Avenue & Haussman Drive and Taylor Avenue Roundabout;
 - c. A Sportsground within the Northern Catchment - TN17 (Chisholm) on Public Reserve (Lot 7 DP 126397).
2. A further report be provided to Council once the result of the applications is known.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

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

14.7 MEMORANDUM OF UNDERSTANDING - WALKA WATER WORKS

FILE NO:	65/66
ATTACHMENTS:	1. Draft Memorandum of Understanding
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Rachel MacLucas - Executive Manager Vibrant City
AUTHOR:	Louise Rampling - Legal Counsel
MAITLAND +10	Outcome 9. To show off our city
COUNCIL OBJECTIVE:	9.1.2 Progress the implementation of the Maitland Destination Management Plan

EXECUTIVE SUMMARY

Walka Water Works is identified as a priority destination hub in the Destination Management Plan 2020-2030, with a goal of becoming an iconic visitor attraction and an overnight destination for nature based tourism, weddings, functions and events. This report recommends that Council partner with Crown Lands and the NSW Crown Holiday Parks Land Manager in order to strengthen Council's position when applying for funding opportunities that will allow the vision articulated in the Destination Management Plan to be realised.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorses entering into a Memorandum of Understanding with Crown Lands and the NSW Crown Holiday Parks Land Manager in order to pursue opportunities to obtain funding for the rehabilitation and development of Walka Water Works in accordance with the vision articulated in the Destination Management Plan 2020-2030; and**
- 2. The General Manager be authorised to finalise and execute the Memorandum of Understanding.**

COUNCIL RESOLUTION

THAT

- 1. Council endorses entering into a Memorandum of Understanding with Crown Lands and the NSW Crown Holiday Parks Land Manager in order to pursue opportunities to obtain funding for the rehabilitation and development of Walka Water Works in accordance with the vision articulated in the Destination Management Plan 2020-2030; and**
- 2. The General Manager be authorised to finalise and execute the Memorandum of Understanding.**

Moved Cr P Garnham, Seconded Cr R Aitchison

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr B Mitchell	
	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 MAITLAND GAOL DEVELOPMENT PLAN UPDATE

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

Council was advised via a report at its 22 February 2022 meeting of successful funding applications from the NSW State and Federal Governments toward a scope of developments outlined in the Maitland Gaol Development Plan, totaling \$10,481,670. At that meeting Council resolved to commit an additional \$1,245,492 to the project through borrowings and to bring a further report to Council once the funding deed has been finalised. This report provides an update and acknowledges the signing of the funding deed.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

For:

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

Against:

18 ITEMS FOR INFORMATION

18.1 ENVIRONMENTAL ENGAGEMENT ACTIVITIES UPDATE

FILE NO:	55/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability Ben Maddox - Principal Sustainability Officer Michelle Lindsay - Operations Manager Waste Services
AUTHOR:	Fiona Rowan - Environmental Engagement Officer Sarah Jackson - Waste Officer
MAITLAND +10	Outcome 11. To reduce our reliance on non-renewable natural resources
COUNCIL OBJECTIVE:	11.1.1 Provide opportunities to participate in environmental learning activities and programs

EXECUTIVE SUMMARY

Council provides a range of opportunities for the community to get involved in environmental learning activities and programs throughout the Maitland Local Government Area. This report outlines the outcomes of Council's environmental education and engagement program over the past twelve months.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Cr L Baker, Seconded Cr M Griffin

CARRIED

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

18.2 HUNTER ESTUARY COASTAL MANAGEMENT PROGRAM BOAT TOUR MEETING

FILE NO:	55/8
ATTACHMENTS:	1. Images taken at Hunter Estuary Coastal Management Program Boat Tour Meeting
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Deanne Nelson-Pritchard - Coordinator Environmental Strategy & Programs
MAITLAND +10	Outcome 10. To love and look after our great outdoors
COUNCIL OBJECTIVE:	10.3.2 Partner with relevant parties to protect, enhance, maintain and restore river and wetland health and amenity through the development and delivery of a Hunter River Estuary Coastal Management Plan

EXECUTIVE SUMMARY

Maitland City Council launched the Hunter Estuary Alliance through a tour of the Hunter River Estuary, from Honeysuckle to Morpeth. The tour provided an opportunity to raise awareness of the health of the system, and the importance of healthy waterways in delivering positive economic, recreational, aesthetic, environmental and spiritual outcomes for the community.

The event was a key first step in consultation for the Hunter Estuary Coastal Management Program. Feedback from the workshop on the day provided valuable information for the Hunter Estuary scoping study and will be added to community values data for presentation to the project steering committee on 21 September 2022. The development of a Hunter Estuary Alliance to create and implement the Coastal Management Program is a prime opportunity to drive a united approach to manage the health of the Hunter River.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Cr R Aitchison, Seconded Cr S Halliday

CARRIED

For:

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

Against:

18.3 MAITLAND ADMINISTRATION CENTRE & TOWN HALL CONSTRUCTION PROGRESS UPDATE

FILE NO:	2020/137/1917
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Kevin Stein - Acting Group Manager Infrastructure & Works Todd Stanley - Manager Building Projects & Services
AUTHOR:	Aaron Cook - Operations Manager Projects & Contracts
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.2.3 Foster an engaged workforce that is skilled, collaborative and focused on our customer

EXECUTIVE SUMMARY

The delivery of the Maitland Administration Centre including the Town Hall upgrades is an identified action in Council's Delivery Program. This report provides Council with an update on the progress of the Maitland Administration Centre project.

Construction work commenced on site in May 2021 and is currently on schedule to meet the construction contract completion date of November 2022.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Cr B Whiting, Seconded Cr M Yarrington

CARRIED

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

18.4 2022 LGNSW DESTINATION AND VISITOR ECONOMY CONFERENCE

FILE NO:	139/6
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	David Evans - General Manager
AUTHOR:	Robert Aitchison - Cr
MAITLAND +10	Outcome 9. To show off our city
COUNCIL OBJECTIVE:	9.1.1 Deliver flagship events and place activation programs

EXECUTIVE SUMMARY

The Destination and Visitor Economy Conference is one of the premier events in the NSW Local Government calendar, bringing together councillors, officers, front line workers and suppliers in a location that is bursting with renewed growth. Unfortunately, the Minister for Tourism was unable to attend this event, however, the local representatives - being the Mayors of Orange, Blayney and Carbone gave a warm welcome at the reception on the first evening.

This report outlines some of the topics on the agenda, but more importantly was an opportunity for all NSW LGA's to ask themselves "can we do better". The overwhelming answer is most certainly yes, not diminishing the success and importance of our flagship events, this conference backed up with data from Destination NSW clearly showed that Maitland can do more.

Background

This was a great example of the 3 councils working together which becomes even more evident when you consider the makeup of these LGA's:

Orange	39,722
Blayney	7,357
Cabonne	13,605

Collectively representing 60,684 residents

Surprisingly Orange with a population of less than half of Maitland's was able to host this important event. In Orange there is no large conference venue or 4-star accommodation, but there are plenty of smaller quality accommodation options which range from air bnb to home host, to any one of the other traditional style motels. Like most conferences there was a coach put on for those who were not staying within walking distance of the venue, there was also plenty of parking as many of the attendees drove to this conference. I was impressed that one of the main breakout rooms or alternative meeting rooms was the CWA Hall, very similar in size to Maitland CWA building (which would have been half the size of our Seniors Hall), the library located across the road was also used for some of the events. The reception dinner was held upstairs in the Hotel Canobolas Ball Room, the Gala Dinner was held out of town at the Small Farms National Field Days Site. Both of these venues were well received and promoted much networking.

In years past these 3 shires would have represented rural NSW, still having the rural aspect they have been able to reinvent and strategies' their significance. Similar to Maitland there is a large mining community (involved with the Cadia Newcrest Gold Mine operating open cut and underground mine, a workforce of around 1200 and a recent \$1b expansion which will see the mine operate for another 40 -45 years). The service industries associated with mining continue to invest money and jobs in the area. Viticulture, orchards, prime cattle, wool and sheep have ensured the area maintains its rural aspect. The two smaller councils have demonstrated that collaborative marketing enables all communities to thrive. It is no secret that the services and accommodation that are located in the Orange Council provide a destination for the visitor economy, however, the real drawcard or better known as the "sizzle in the steak" being the rural hamlets of Blayney and Cabonne, offering unique cellar door and farm gate experiences.

The conference underlying theme was collaboration, and it became evident that Orange understands that they need to promote their neighbours, (the smaller townships of Millthorpe, Manildra and Hill End are the draw cards), accept that visitors to the area will be spending money in other LGA's. It then became more evident that their thinking that with any new VE to the area the larger service centre Orange would eventually receive a fair proportion of the dollars being spent by the business of the other two councils. Thereby, not only do they win through the direct VE and accommodation, but secondly through the service industries of Orange. In 2017 this regions VE was \$241m. Today the Orange 360 Visitor Economy is worth \$490m, which is an average visitor spend of \$358 per visit. To replicate this amount with no tourism would mean an increase in household spending of \$18,655.

As the conference continued it became evident that all these councils benefited from the VE. Orange being the larger council was able to contribute much more than the other two shires, but it is the other two shires that are equal drawcards. Parallels or similarities could be seen with Maitland, Dungog and natural beauties, as well as our closeness to the Vineyards of the Hunter Valley. It is imperative that Maitland as the larger of the councils collaborate with both Cessnock and Dungog in drawing people to the area. Maitland cannot operate as a silo destination only. We need to seize the opportunity and do cooperative marketing where possible. That way Maitland can leverage off these two important drawcards. The ever-increasing demand for agritourism as well mountain bike trails has identified the Dungog LGA as being in the prime seat. Whilst the drawcard of the Hunter Valley and Wine industry need no introduction.

As Maitland continues to grow our personification as a country town diminishes and it is important that we now optimise areas outside of our LGA.

The bulk of day 1 gave focus to utilising the NSW Gov EV Charging Grants. Electric Vehicles will start to impact the region by 2023. As of August 2021, EV vehicles accounted for 1.5% of all light vehicle sales, these numbers are now about to go exponential. The US has just hit 5%, the UK 10.7% and Norway at 74%. By the end of this year there will be 58 EV models on the market in Australia.

Although there is State and Federal charging infrastructure plans along major routes, LGA and private business will need to provide coverage in the blackspots. With 4000 public

charging stations in Australia currently. A Recent Study by Randwick, Waverly and Woollahra council surveyed 1168 respondents to find that

- 79% are considering EV when they purchase their next car,
- 86% wanted council to facilitate more EV charging stations,
- 43% do not have access to garage, carport or parking spaces so will be relying on council facilities,

This shows the uptake of EV. The huge benefit is that Maitland is within the short journey market, or day trip and studies have shown that the EV drivers are financially desirable to visit regional areas, with the understanding that they will stop and linger whilst cars are being topped up and basically have a greater disposable income.

About 2 months ago NSW Government announced a \$171m commitment to building EV infrastructure. This is being supported by 75% subsidy in hardware purchase, and \$1k subsidy on all electrical installations. A list of preferred chargers and software have been included and the government is trying to make the program as easy as possible for both Councils and the private sector to take up the charge.

Collaboration

A number of hosted excursions highlighted the different ways that the communities of the Orange 360 have been able to move forward. I was impressed with the collaboration of the cellar doors in historic Millthorpe, all cellar doors understanding that they cannot give adequate service to large groups to instead work in collaboration with other tasting houses splitting the group and encouraging visitors to be outgoing and visit all operators. Overall, it was probably one of the better Tourism Destination, Visitor Economy conferences that LGNSW has put on, and I would like to congratulate the team that enabled this program to run successfully.

RECOMMENDATION

THAT the information contained in the report be noted.

COUNCIL RESOLUTION

THAT the information contained in the report be noted.

Moved Cr R Aitchison, Seconded Cr B Whiting

CARRIED

For:

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

Against:

19 NOTICES OF MOTION/RESCISSION

19.1 ARTIFICIAL INTELLIGENCE TRIAL

NOTICE OF MOTION SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO:	35/7/4
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	David Evans - General Manager Catherine Pepper - Manager Environment & Sustainability

Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 13 September 2022:

During the 2022 Local Government National Congress in June, Crs Mitchell Griffin, Bill Hackney and Mayor Philip Penfold had an opportunity to hear from a number of vendors who have developed artificial intelligence (AI) technology for the detection and logging of road defects by local government. This technology includes a series of sensors and camera which can be affixed to a vehicle to identify issues such as potholes along a road surface. Once detected this technology has the ability to create a job ticket with the council for repair.

An example was provided where this technology could be fitted to a council's fleet of garbage trucks. As the trucks circulate the city on a weekly basis, the technology is able to detect changes to the pavement and record the GPS coordinate so it can be logged. Once the defect is repaired, the sensors are able to identify that the issue has been corrected and close the job number.

In recent months, the NSW State Government has commenced looking into similar technology and how it can be used across the state. To date the Government has been trialing the technology using utility vehicles across regional roads. Further trials are now underway in regional cities including Tamworth and Wollongong under the NSW Digital Restart Fund.

As Maitland is a fast-growing region, it would highlight that we are a city looking to the future if our city could be considered as part of the current trial. This would ensure that Maitland is a city which focuses on technology of tomorrow to incorporate proactive technology, changing our existing process which is reactive.

If selected as part of this trial, the cost would be met via the NSW Digital Restart Fund.

THAT

Council writes to the NSW Minister for Regional Transport and Roads Sam Farraway MP and Parliamentary Secretary for the Hunter the Hon Taylor Martin MLC to express council's interest in participating in the trial of Artificial Intelligence to track and prioritise road repairs, including identifying potholes, across the Maitland Local Government Area through the use of council garbage trucks.

COUNCIL RESOLUTION

THAT

Council writes to the NSW Minister for Regional Transport and Roads Sam Farraway MP and Parliamentary Secretary for the Hunter the Hon Taylor Martin MLC to express council's interest in participating in the trial of Artificial Intelligence to track and prioritise road repairs, including identifying potholes, across the Maitland Local Government Area through the use of council garbage trucks.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

19.2 LOCAL GOVERNMENT NSW CONFERENCE 2022

NOTICE OF MOTION SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/4
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: David Evans - General Manager

Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 13 September 2022:

Abandoned cars continue to be a problem across the state of NSW. This has been evident within the Hunter Valley where cars are often stolen, then left on the roadside.

Often these cars are found in a timely manner by the NSW Police, but then are unable to be moved due to restrictions placed on local government areas by the Act. This often leads to vehicles which are in good condition being vandalised. This includes windscreens being smashed, tyres being stolen, and eventually cars being burnt out. This creates a eyesores across LGAs especially when tourists and potential future citizens are driving through a city. In addition to this, there is also the risk to public safety and the environment with glass and metal often ending up in waterways and bushland, and the likelihood of fire to nearby bushland.

This proposed motion to be submitted to Local Government NSW for consideration at the 2022 LGNSW Conference in Cessnock would call on the NSW Government to review the Act to enable councils to be able to impound these vehicles sooner in the process. This would reduce the risk to the community of damage from these vehicles.

THAT

1. Council makes a submission to the Local Government NSW for the inclusion of the following motion to be debated as part of the LGNSW Conference 2022:

THAT

LGNSW Calls on the NSW State Government to expedite and implement the new Act in relation to abandoned and dumped stolen vehicles to allow for local councils to remove the vehicles from road reserves sooner, reducing damage to personal property, environmental effects, as well as the possibility of fire caused by vandalism to these vehicles."

COUNCIL RESOLUTION

THAT

1. Council makes a submission to the Local Government NSW for the inclusion of the following motion to be debated as part of the LGNSW Conference 2022:

THAT

LGNSW Calls on the NSW State Government to expedite and implement the new Act in relation to abandoned and dumped stolen vehicles to allow for local councils to remove the vehicles from road reserves sooner, reducing damage to personal property, environmental effects, as well as the possibility of fire caused by vandalism to these vehicles.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

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

Against:

19.3 ACCOMMODATING LARGER CONFERENCE EVENTS IN MAITLAND

NOTICE OF MOTION SUBMITTED BY CR ROBERT AITCHISON

FILE NO: 35/7/4
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: David Evans - General Manager

Cr Robert Aitchison has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 13 September 2022:

In light of the recent Destination NSW Conference in Orange, it has been identified by all levels of Destination Economy of the importance of collaborating with neighbouring LGA's. By acknowledging how our neighbouring LGA's can fulfill some areas that Maitland, may not be able to fulfill, such as natural assets including National Parks of Dungog, the Port Stephens Marine Estuary, built resources such as Training Centres of both Tocal, Cessnock TAFE and Port Stephens Koala Centre as well as Newcastle University. Plus, additional accommodation that our neighbouring LGA's are able to offer in close proximity to the Maitland Area. By banding together, we are able to compete with the major destination areas of Gold Coast, Blue Mountains, Central Coast and Capital Cities, in attracting new business to our economy.

THAT

In preparing Council's City Economy Strategy, consideration be given to means by which Maitland can be positioned to accommodate larger conference events in collaboration with adjoining council areas.

COUNCIL RESOLUTION

THAT

In preparing Council's City Economy Strategy, consideration be given to means by which Maitland can be positioned to accommodate larger conference events in collaboration with adjoining council areas.

Moved Cr R Aitchison, Seconded Cr B Whiting

CARRIED

For:

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

Against:

20 QUESTIONS WITH NOTICE

Nil

21 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 7:09 pm.

Moved Cr Whiting, Seconded Cr Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr B Mitchell	
	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 closed the meeting to the public at 7:10 pm.

Moved Cr Whiting, Seconded Cr Aitchison

CARRIED

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

22 COMMITTEE OF THE WHOLE

22.1 CONSIDERATION OF TENDERS - ANIMAL MANAGEMENT FACILITY SERVICES

FILE NO:	2022/137/2054
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Ashton - Manager Development & Compliance
AUTHOR:	Gemma McMahon - Coordinator Regulatory Compliance
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

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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

EXECUTIVE SUMMARY

Tenders were called to engage a suitably qualified and experienced contractor to provide management and operational services for the Maitland Animal Management Facility (MAMF).

The tender period closed on 2 September 2022, following a number of extensions. One (1) tender submission was received and assessed to a Tender Evaluation Plan by a Tender Evaluation 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 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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

COUNCIL RESOLUTION

THAT

1. Council decline to accept any of the tenders for Animal Management Facility Services.
2. Council resolve to enter into negotiations with Central Coast Animal Care Facility Inc with a view to entering into a service agreement in relation to the subject matter and final fee of the tender.
3. Council does not call for fresh tenders on the basis that a repeat of the process is not expected to produce a better result.
4. Council determines to enter into negotiations on the basis that a satisfactory outcome is expected if suitable service agreement terms can be agreed.
5. Council authorise the general manager to enter into negotiations and sign any required contracts or agreements.
6. Council authorise a three (3) month extension to the existing service agreement.

Moved Cr B Whiting, Seconded Cr S Halliday

CARRIED

For:	Cr R Aitchison Cr L Baker Cr S Fisher Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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22.2 CONSIDERATION OF TENDER 2021/137/2075 AND PROJECT DELIVERY ASSESSMENT - THORNTON ROAD NETWORK

FILE NO:	65/31 & 37/7/4
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2. To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance

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

The purpose of this report is to establish how the delivery of the current tender package 2021/137/2075 of Thornton Road Network projects can be delivered with consideration to the identified project costs and the available sources of funding. Sufficient funding has been identified to enable delivery of an adjusted tender package of works.

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 decline to accept any of the tenders received under contract number 2021/137/2075 for Thornton North Infrastructure Upgrades Including Raymond Terrace Road and Government Road Intersection.**
- 2. Per Section 178(3)(e) of the Local Government (General) Regulations 2021 Council enter into negotiations with the preferred contractor with a view to entering into a contract for the delivery of the Government Road and Raymond Terrace**

Road intersection (Project 1) and the Raymond Terrace Road blackspot extension works (Project 2) as outlined within the report.

3. Per Section 178(4) of the Local Government (General) Regulations 2021 Council notes that the reasons for determining to enter into negotiations is that a preferred contractor has been identified subject to the resolution of identified matters of non-compliance associated with the tendering process.
4. The General Manager be authorised to sign contract documents up to the values as outlined within this report.
5. The common seal of Council be affixed to the contract documents.
6. Transport for NSW be approached to fund the deficit associated with the delivery of the Raymond Terrace Road blackspot upgrade (the extension works) for inclusion into the contracted works.
7. Council approves the funding source identified for delivery of Government Road and Raymond Terrace Road intersection (Project 1) as outlined in this report.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

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

22.3 CONSIDERATION OF TENDERS - FOOTPATH CONSTRUCTION - VARIOUS LOCATIONS - MAITLAND

FILE NO:	2022-137-2100
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Ashley Kavanagh - Manager Works Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Jacob Montgomery - Civil Engineer
MAITLAND +10	Outcome 2. To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance

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 have been called for the construction of six footpath projects at various locations across Maitland. The projects include Alliance Street East Maitland, Blakewell Road Thornton, Brooks Street Telarah, Maize Street Tenambit, Raymond Street Telarah and Robinia Close Largs.

The tender was advertised as six separable portions. Tenderers were able to submit for one, multiple or all portions of work. Nine tenders were received across the six separable portions of work.

All tenders were assessed by a tender review panel. This report provides details of the tender assessment and a recommendation to award a contract for the six portions of work. The 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 accept the tender of NSW Building and Civil Pty Ltd for Separable Portion 1 - Alliance Street, East Maitland for the contract sum of \$44,200.00 (excl GST).
2. Council accept the tender of Conex Group Pty Ltd for Separable Portion 2 - Blakewell Road, Thornton for the contract sum of \$80,594.50 (excl GST).
3. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 3 - Brooks Street, Telarah for the contract sum of \$35,958.29 (excl GST).
4. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 4 - Maize Street, Tenambit for the contract sum of \$205,323.84 (excl GST).
5. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 5 - Raymond Street, Telarah for the contract sum of \$89,379.56 (excl GST).
6. Council accept the tender of Conex Group Pty Ltd for Separable Portion 6 - Robinia Close, Largs for the contract sum of \$75,601.00 (excl GST).
7. The common seal of Council be affixed to the contract documents.

Moved Cr B Mitchell, Seconded Cr M Griffin

CARRIED

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

22.4 CONSIDERATION OF TENDERS - ROAD RECONSTRUCTION - STATION LANE, LOCHINVAR

FILE NO:	2022-137-2089
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Ashley Kavanagh - Manager Works Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Jacob Montgomery - Civil Engineer
MAITLAND +10	Outcome 2. To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance

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 undertake road reconstruction at Station Lane, Lochinvar.

Six 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 accept the tender of Gleeson Civil Engineering Pty Ltd in the amount of \$2,230,028.14 Excl. GST for the road reconstruction of Station Lane, Lochinvar.**
- 2. The common seal of Council be affixed to the contract documents.**

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

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

Against:

22.5 REGIONAL TOURISM ACTIVATION FUND ROUND 2 FUNDING OPPORTUNITY

FILE NO:	65/58
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Rachel MacLucas - Executive Manager Vibrant City
AUTHOR:	Rachel MacLucas - Executive Manager Vibrant City Caroline Booth - Acting Manager City Experiences and Economy Christopher Gorman - Corporate Grants Lead
MAITLAND +10	Outcome 4. To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3.9 Work in partnership with the State Government to remediate and improve the Walka Water Works Precinct

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 16 June 2021, the NSW Government announced a \$30 million Regional Tourism Activation Fund (RTAF) to accelerate the development of new and enhanced tourism infrastructure across regional NSW. Council was successful in its application to RTAF Round 1 for Stage 1 redevelopment works at Maitland Gaol, securing \$5,481,670. Planning for these works is currently underway with an update provided in a separate report in this agenda.

Opening on 2 August 2022, Round 2 provides a further \$150 million to accelerate the development of high impact tourism infrastructure projects that will increase visitation, expenditure and extend length of stay for visitors to regional NSW.

The Fund will focus on developing new and enhanced visitor experiences that have the potential to increase the international appeal of destinations in regional NSW and lead to increased visitation from interstate and international tourists. The Fund will support projects that utilise universal design principles and are accessible and inclusive for everyone.

Along with Maitland Gaol, Walka Water Works is identified as one of the five priority Destination Hubs in Council's Destination Management Plan with the vision of it becoming 'an iconic visitor attraction for the city, with active day use as well as an overnight destination for nature based tourism, weddings, functions and events'.

After thorough consideration of the guidelines and capacity to manage and deliver projects, it is recommended that Council proceed with lodgement of an application for Stage 1 Redevelopment works at Walka Water Works site, as outlined in this report.

Applications for Round 2 close on 27 September 2022, with outcomes to be announced from November 2022. Round 2 projects must be completed by 30 June 2026.

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 make application for funding of \$20,000,000 under the Regional Tourism Activation Fund (Round 2) for Stage 1 redevelopment works at Walka Water Works as outlined in this report.**
- 2. A further report be provided to Council once the result of the application is known.**

Moved Cr S Halliday, Seconded Cr P Garnham

CARRIED

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

Council resumed into Ordinary Council at 7:49 pm.

Moved Cr Griffin, Seconded Cr Halliday

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr S Fisher	
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr B Mitchell	
	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 - ANIMAL MANAGEMENT FACILITY SERVICES

THAT

1. Council decline to accept any of the tenders for Animal Management Facility Services.
2. Council resolve to enter into negotiations with Central Coast Animal Care Facility Inc with a view to entering into a service agreement in relation to the subject matter and final fee of the tender.
3. Council does not call for fresh tenders on the basis that a repeat of the process is not expected to produce a better result.
4. Council determines to enter into negotiations on the basis that a satisfactory outcome is expected if suitable service agreement terms can be agreed.
5. Council authorise the general manager to enter into negotiations and sign any required contracts or agreements.
6. Council authorise a three (3) month extension to the existing service agreement.

Moved Cr B Whiting, Seconded Cr S Halliday

CARRIED

22.2 CONSIDERATION OF TENDER 2021/137/2075 AND PROJECT DELIVERY ASSESSMENT - THORNTON ROAD NETWORK

THAT

1. Council decline to accept any of the tenders received under contract number 2021/137/2075 for Thornton North Infrastructure Upgrades Including Raymond Terrace Road and Government Road Intersection.
2. Per Section 178(3)(e) of the Local Government (General) Regulations 2021 Council enter into negotiations with Ditchfield Contracting Pty Ltd with a view to entering into a contract for the delivery of the Government Road and Raymond Terrace Road intersection (Project 1) and the Raymond Terrace Road blackspot extension works (Project 2) as outlined within the report.
3. Per Section 178(4) of the Local Government (General) Regulations 2021 Council notes that the reasons for determining to enter into negotiations is that a

preferred contractor has been identified subject to the resolution of identified matters of non-compliance associated with the tendering process.

4. The General Manager be authorised to sign contract documents up to the values as outlined within this report.
5. The common seal of Council be affixed to the contract documents.
6. Transport for NSW be approached to fund the deficit associated with the delivery of the Raymond Terrace Road blackspot upgrade (the extension works) for inclusion into the contracted works.
7. Council approves the funding source identified for delivery of Government Road and Raymond Terrace Road intersection (Project 1) as outlined in this report.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

22.3 CONSIDERATION OF TENDERS - FOOTPATH CONSTRUCTION - VARIOUS LOCATIONS – MAITLAND

THAT

1. Council accept the tender of NSW Building and Civil Pty Ltd for Separable Portion 1 – Alliance Street, East Maitland for the contract sum of \$44,200.00 (excl GST).
2. Council accept the tender of Conex Group Pty Ltd for Separable Portion 2 – Blakewell Road, Thornton for the contract sum of \$80,594.50 (excl GST).
3. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 3 – Brooks Street, Telarah for the contract sum of \$35,958.29 (excl GST).
4. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 4 – Maize Street, Tenambit for the contract sum of \$205,323.84 (excl GST).
5. Council accept the tender of Bolla Contracting Pty Ltd for Separable Portion 5 – Raymond Street, Telarah for the contract sum of \$89,379.56 (excl GST).
6. Council accept the tender of Conex Group Pty Ltd for Separable Portion 6 – Robinia Close, Largs for the contract sum of \$75,601.00 (excl GST).
7. The common seal of Council be affixed to the contract documents.

Moved Cr B Mitchell, Seconded Cr M Griffin

CARRIED

22.4 CONSIDERATION OF TENDERS - ROAD RECONSTRUCTION - STATION LANE, LOCHINVAR

THAT

1. Council accept the tender of Gleeson Civil Engineering Pty Ltd in the amount of \$2,230,028.14 Excl. GST for the road reconstruction of Station Lane, Lochinvar.
2. The common seal of Council be affixed to the contract documents.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

22.5 REGIONAL TOURISM ACTIVATION FUND ROUND 2 FUNDING OPPORTUNITY

THAT

1. Council make application for funding of \$20,000,000 under the Regional Tourism Activation Fund (Round 2) for Stage 1 redevelopment works at Walka Water Works as outlined in this report.
2. A further report be provided to Council once the result of the application is known.

Moved Cr S Halliday, Seconded Cr P Garnham

CARRIED

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

Moved Cr P Garnham, Seconded Cr R Aitchison

CARRIED

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

24 CLOSURE

The meeting was declared closed at 7:57 pm.

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Chairperson