

ORDINARY MEETING

MINUTES

27 SEPTEMBER 2022

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	INVOCATION.....	1
2	ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE	1
4	DECLARATIONS OF INTEREST	2
5	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
6	BUSINESS ARISING FROM MINUTES	2
7	WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS.....	2
8	PUBLIC ACCESS	3
9	MAYORAL MINUTE	4
10	OFFICERS REPORTS	5
10.1	GILLIESTON HEIGHTS SOUTH (EASTERN PRECINCT) DCP ADOPTION.....	5
10.2	WASTE SERVICES REVIEW AND COMMUNITY CONSULTATION	7
10.3	EXHIBITION OF THE DRAFT MAITLAND LOCAL HOUSING STRATEGY 2041	10
10.4	EXHIBITION OF THE DRAFT MAITLAND RURAL LANDS STRATEGY 2041	13
10.5	MECHANICS INSTITUTE 20-22 BANKS STREET EAST MAITLAND CITY COUNCIL	15
10.6	EXHIBITION OF DRAFT VOLUNTARY PLANNING AGREEMENT - DISTRICT PARK, CESSNOCK ROAD GILLIESTON HEIGHTS.....	17
10.7	COMMUNITY ENVIRONMENTAL ATTITUDES SURVEY OUTCOMES.....	19
10.8	EAST MAITLAND AQUATICS CENTRE, NARANG STREET, MAITLAND CITY COUNCIL	21

10.9	OUR REGION, OUR VOICE - REGIONAL YOUTH INVESTMENT PROGRAM GRANT	23
10.10	SECTION 356 DONATION – CITY UNITED DISTRICT CRICKET CLUB	25
11	POLICY AND FINANCE COMMITTEE	27
11.1	RISK MANAGEMENT POLICY 2022.....	27
11.2	STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2022.....	29
11.3	PRIORITY WEEDS MANAGEMENT POLICY - REVIEW.....	31
11.4	COUNCILLOR EXPENSES AND FACILITIES POLICY 2022.....	33
11.1	RISK MANAGEMENT POLICY 2022.....	34
11.2	STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2022.....	35
11.3	PRIORITY WEEDS MANAGEMENT POLICY - REVIEW.....	35
11.4	COUNCILLOR EXPENSES AND FACILITIES POLICY 2022.....	35
12	NOTICES OF MOTION/RESCISSION	37
12.1	SPECIAL INFRASTRUCTURE CONTRIBUTIONS.....	37
13	QUESTIONS WITH NOTICE	39
14	URGENT BUSINESS.....	39
15	COMMITTEE OF THE WHOLE	40
15.1	PROPERTY ACQUISITION, LOCHINVAR DEVELOPMENT CONTRIBUTIONS PLAN.....	40
15.2	2022 - 2023 PLANT REPLACEMENT PROGRAM	42
16	COMMITTEE OF THE WHOLE RECOMMENDATIONS	44
17	CLOSURE.....	45

PRESENT

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

1 INVOCATION

The General Manager 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 apologies received for the unavoidable absence of Cr S Fisher and Cr B Hackney be accepted and leave of absence granted, and the remote attendance of Cr B Whiting and Cr R Aitchison be accepted.

Moved Mayor P Penfold, Seconded Cr S Halliday

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr P Garnham	
	Cr M Griffin	
	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 13 September 2022 be confirmed.

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr K Ferguson	
	Cr P Garnham	
	Cr M Griffin	
	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:

- 10.9 Our Region, Our Voice - Regional Youth Investment Program Grant
- 10.0 Section 356 Donation – City United District Cricket Club

7.2 Withdrawal of Item 15.1 Property Acquisition, Lochinvar Development Contributions Plan as published and ask Council to accept a new report on the same subject.

COUNCIL RESOLUTION

THAT

1. Council accepts the Late Items 10.9 - Our Region, Our Voice - Regional youth investment program grant, and 10.10 - Section 356 Donation – City United District Cricket Club
2. Council accepts the withdrawal of Item 15.1 Property Acquisition, Lochinvar Development Contributions Plan as published and ask Council to accept a new report on the same subject.

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison Cr L Baker Cr K Ferguson Cr P Garnham Cr M Griffin Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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8 PUBLIC ACCESS

Richard Bennett representing himself, spoke **for** item 10.3 Exhibition of the Draft Maitland Local Housing Strategy 2041

Richard Bennett representing himself, spoke **for** item 10.4 Exhibition of the Draft Maitland Rural Lands Strategy 2041

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Richard Bennett.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

9 MAYORAL MINUTE

Nil

10 OFFICERS REPORTS

10.1 GILLIESTON HEIGHTS SOUTH (EASTERN PRECINCT) DCP ADOPTION

FILE NO:	RZ21001
ATTACHMENTS:	1. Final DCP (under separate cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment
AUTHOR:	Andrew Neil - Manager Strategic Planning
MAITLAND +10	Outcome 7. To afford the house we want in the neighbourhood we like
COUNCIL OBJECTIVE:	7.2.3 Review the city's Development Control Plan and Local Environmental Plan

EXECUTIVE SUMMARY

On 26 October 2021, Council resolved to place the draft Development Control Plan (DCP) for the Gillieston Heights South (Eastern Precinct) Urban Extension Site on public exhibition. In accordance with Council's resolution, the draft DCP was placed on public exhibition. During the exhibition period, no submissions were received.

The site has recently been rezoned part R1 General Residential, part RU2 Rural Landscape, part C2 Environmental Conservation and part C3 Environmental Management and mapped as an Urban Release Area under the Maitland Local Environmental Plan (LEP) 2011. Part 6 of Maitland LEP 2011 ensures that development on land in an Urban Release Area occurs in a logical and cost-effective manner. Clause 6.3 applies to the subject land and requires a Development Control Plan (DCP) to be prepared and endorsed by Council prior to any subdivision of the land. The purpose of this report is to inform Council of the outcomes of public exhibition and recommend to Council that the final draft DCP be adopted.

OFFICER'S RECOMMENDATION

THAT

- 1. The draft Development Control Plan (October 2021) be adopted as an amendment to the Maitland City-wide Development Control Plan 2011.**
- 2. Public notice be given in Council's website within 28 days of the decision being made.**

COUNCIL RESOLUTION

THAT

- 1. The draft Development Control Plan (October 2021) be adopted as an amendment to the Maitland City-wide Development Control Plan 2011.**
- 2. Public notice be given in Council's website within 28 days of the decision being made.**

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

For:

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

Against:

10.2 WASTE SERVICES REVIEW AND COMMUNITY CONSULTATION

FILE NO:	61/28
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Michelle Lindsay - Operations Manager Waste Services Sarah Jackson - Waste Officer
MAITLAND +10	Outcome 13. To reduce our waste
COUNCIL OBJECTIVE:	13.1.2 Deliver a sustainable waste management collection and disposal service

EXECUTIVE SUMMARY

Council, in its Local Strategic Planning Statement Maitland 2040+ has committed to a review of the Maitland Integrated Resource Recovery and Waste Management Strategy 2005 and other waste and recycling initiatives as a part of the proposed Environmental Sustainability Strategy. This report outlines the results of an initial review of the Integrated Recovery and Waste Management Strategy 2005, including an assessment of current federal and state waste and resource recovery targets, community support for those targets, service delivery options to achieve the targets and service delivery priorities set out in the Mayoral Minute dated 25 January 2022.

The recent community environmental attitudes survey has identified improved waste management and recycling as a top environmental priority for Maitland residents. Results further indicated 89% of respondents were supportive or very supportive of Council providing additional recycling, composting, and other resource recovery services to enable 80% of household waste to be diverted from landfill, in line with National and NSW State Government targets.

Given the strong level of community support for the target, and the range of ways in which progress towards the target can be achieved, further detailed consultation is proposed. This consultation is intended to guide implementation of future waste management and resource recovery activities and services over the next 10 years to enable Council to deliver an accessible waste management service that moves towards achievement of 80% diversion of waste from landfill by 2030. The report also presents details of new resource recovery programs that can be implemented within the current operational plan period.

OFFICER'S RECOMMENDATION

THAT

- 1. Council consults with the community about future waste and resource recovery services including details of:**
 - a. Implementation of the food and garden organics (FOGO) service in 2024, and methods to maximise the amount of organic material removed from the general waste bin, including approach to caddies and liners and the size and frequency of the general waste bin collection**
 - b. the bulk waste service implementation, including kerbside collection and waste vouchers**
 - c. opportunities for local collection of an expanded range of materials including soft plastics and textiles**
 - d. mattress program, household chemical cleanouts and community awareness and use of the community recycling centre at Mt Vincent Road Waste Management Centre**
- 2. The results of the community consultation be used to guide the preparation of a Waste Services Management Plan.**
- 3. Council notes new waste programs aimed to increase resource recovery.**

COUNCIL RESOLUTION

THAT

- 1. Council consults with the community about future waste and resource recovery services including details of:**
 - a. Implementation of the food and garden organics (FOGO) service in 2024, and methods to maximise the amount of organic material removed from the general waste bin, including approach to caddies and liners and the size and frequency of the general waste bin collection**
 - b. the bulk waste service implementation, including kerbside collection and waste vouchers**
 - c. opportunities for local collection of an expanded range of materials including soft plastics and textiles**
 - d. mattress program, household chemical cleanouts and community awareness and use of the community recycling centre at Mt Vincent Road Waste Management Centre**

2. **The results of the community consultation be used to guide the preparation of a Waste Services Management Plan.**
3. **Council notes new waste programs aimed to increase resource recovery.**

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

For:

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

Against:

10.3 EXHIBITION OF THE DRAFT MAITLAND LOCAL HOUSING STRATEGY 2041

FILE NO:	103/170
ATTACHMENTS:	1. Draft Maitland Local Housing Strategy (under separate cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning Adam Ovenden - Coordinator City Planning
AUTHOR:	Pathum Gunasekara - Principal Strategic Planner
MAITLAND +10	Outcome 7. To afford the house we want in the neighbourhood we like
COUNCIL OBJECTIVE:	7.1 Access different housing options in new and old suburbs, villages and townships

EXECUTIVE SUMMARY

In 2020, Council endorsed Maitland Local Strategic Planning Statement 2040+ (LSPS). The preparation of a new Local Housing Strategy is a key priority action identified in this Statement.

The current population of Maitland is 90,230 residents. The latest population projections, released by the NSW Department of Planning & Environment, indicate an increase in total population of 54,800 residents with an average annual growth rate of 2.4% to over 144,500 residents by 2041. This is a total growth of 61%. This will require an additional 25,200 new dwellings between 2021 and 2041.

The draft Maitland Local Housing Strategy 2041 sets out a framework to guide this growth and change of our residential areas over the next 20 years. It recognises and responds to evidence about what types of housing will be needed for our growing and changing population, where it can be best located and how Council will deliver better housing outcomes, together with community and other stakeholders.

The draft Strategy draws together the State's planning priorities identified in the Hunter Regional Plan and the Greater Newcastle Metropolitan Plan, and our own local priorities articulated in the Maitland +10 Community Strategic Plan and LSPS. It outlines how these priorities are to be delivered and implemented at local level in responding to our local housing requirements into the future.

The purpose of this report is to present to Council the draft Strategy and seek endorsement for public exhibition.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorses the draft Maitland Local Housing Strategy 2041 in Attachment 1 for public exhibition for a minimum period of 28 days.**
- 2. A further report be prepared for Council's consideration following the exhibition of the draft Maitland Local Housing Strategy 2041.**

PROCEEDINGS IN BRIEF

A motion was moved
(Cr P Garnham, Seconded Cr S Halliday)

That an additional point 3 be added as follows:

- 3. Confirmation of all land identified as category one and category two as in council's Maitland Urban Settlement Strategy document 12 November 2019, is included.**

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT

- 1. Council endorses the draft Maitland Local Housing Strategy 2041 in Attachment 1 for public exhibition for a minimum period of 28 days.**
- 2. A further report be prepared for Council's consideration following the exhibition of the draft Maitland Local Housing Strategy 2041.**
- 3. Confirmation of all land identified as category one and category two as in council's Maitland Urban Settlement Strategy document 12 November 2019, is included.**

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

For:

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

Against:

10.4 EXHIBITION OF THE DRAFT MAITLAND RURAL LANDS STRATEGY 2041

FILE NO:	103/50/3
ATTACHMENTS:	1. Draft Maitland Rural Lands Strategy (Under Separate Cover) 2. Draft Maitland Rural Lands Review (Under Separate Cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning Adam Ovenden - Coordinator City Planning
AUTHOR:	Pathum Gunasekara - Principal Strategic Planner
MAITLAND +10	Outcome 7. To afford the house we want in the neighbourhood we like
COUNCIL OBJECTIVE:	7.2.3 Review the city's Development Control Plan and Local Environmental Plan

EXECUTIVE SUMMARY

In 2020 Council endorsed the Maitland Local Strategic Planning Statement 2040+ (LSPS). A review of the existing Maitland Rural Lands Strategy 2005 and preparation of a new Rural Lands Strategy is a key priority action identified in the LSPS.

Strong population growth in the Maitland Local Government Area (LGA) is resulting in ongoing pressures on rural land to accommodate for new urban development. This has the potential to have significant impact on high value agricultural land, scenic landscapes, waterways and potentially introduce land use conflicts. Therefore, rural land needs to be identified, protected, and managed for the future as the city grows.

The draft Maitland Rural Lands Strategy 2041 provides a framework and long-term strategic directions to guide and manage rural land over the next 20 years. The development of the draft Strategy has been informed by the findings from the draft Maitland Rural Lands Review 2021 which provides an evidence-based analysis of opportunities and constraints affecting rural land as well as trends driving growth and change and their influence on rural land.

The purpose of this report is to present Council of the draft Rural Lands Strategy 2041 and draft Maitland Rural Lands Review 2021 and seek endorsement for public exhibition.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorses the draft Maitland Rural Lands Strategy 2041 Attachment 1) and draft Maitland Rural Lands Review 2021 (Attachment 2) for public exhibition for a minimum of 28 days.**
- 2. A further report be prepared for Council's consideration following the exhibition of the draft Strategy.**

COUNCIL RESOLUTION

THAT

- 1. Council endorses the draft Maitland Rural Lands Strategy 2041 Attachment 1) and draft Maitland Rural Lands Review 2021 (Attachment 2) for public exhibition for a minimum of 28 days.**
- 2. A further report be prepared for Council's consideration following the exhibition of the draft Strategy.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

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

10.5 MECHANICS INSTITUTE 20-22 BANKS STREET EAST MAITLAND CITY COUNCIL

FILE NO:	PRC10804
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Judy Jaeger - Group Manager Culture, Community & Recreation Scott Warner - Senior Project Engineer
MAITLAND +10	Outcome 8. To have Central Maitland as the vibrant heart of our city
COUNCIL OBJECTIVE:	8.1.2 Continue to deliver infrastructure improvements in Central Maitland

EXECUTIVE SUMMARY

This report provides the Council with an update on the structural condition of the Mechanics Institute 20-22 Banks Street East Maitland. It also provides Council with information regarding community infrastructure provision in the Eastern Precinct in line with the Maitland Local Strategy Planning Statement 2040+.

OFFICER'S RECOMMENDATION**THAT**

1. Council endorse the decision that the Literary Institute Lots 1 and 2 DP 997833, 20-22 Bank Street East Maitland is not required as part of Maitland City Councils' community facilities network;
2. Council commences a land reclassification process for Lot 2 DP 997833 20 Bank Street East Maitland from Community Land to Operational Land.

COUNCIL RESOLUTION

THAT

1. Council endorse the decision that the Literary Institute Lots 1 and 2 DP 997833, 20-22 Bank Street East Maitland is not required as part of Maitland City Councils' community facilities network;
2. Council commences a land reclassification process for Lot 2 DP 997833 20 Bank Street East Maitland from Community Land to Operational Land.

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

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

10.6 EXHIBITION OF DRAFT VOLUNTARY PLANNING AGREEMENT - DISTRICT PARK, CESSNOCK ROAD GILLIESTON HEIGHTS

FILE NO:	103/41/55
ATTACHMENTS:	1. Voluntary Planning Agreement (under separate cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Andrew Neil - Manager Strategic Planning Adam Ovenden - Coordinator City Planning
AUTHOR:	Anne Humphries - Development Contributions Administrator
APPLICANTS:	McCloy Loxford Land Pty Ltd & Dowmere Pty Ltd
OWNER:	Hydro Aluminium Kurri Kurri Pty Ltd
PROPOSAL:	Delivery of District Park in partial satisfaction of paying s7.11 development contributions
LOCATION:	Cessnock Road, Gillieston Heights
ZONE:	R1 General Residential

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the receipt of an offer from McCloy Loxford Land Pty Ltd and Dowmere Pty Ltd (the Applicants) to enter into a Voluntary Planning Agreement (VPA) associated with the Hydro Aluminium site which forms part of the Gillieston Heights South Urban Release Area. The draft VPA is linked to two development applications and has been lodged in conjunction with the currently undetermined DA 2022/193 for the subdivision of 342 residential lots, 7 public reserves and 8,828m² for a district park on Cessnock Road, Gillieston Heights.

Under the terms of the draft VPA the applicants intend to provide a mixture of cash contributions under Section 7.11 of the Environmental Planning and Assessment Act 1979 (the Act) and capital works to satisfy the demand for recreation facilities arising as a result of residential development in the locality. The applicants propose a broader public/planning benefit will be received by the community in delivering the district level park on land within their development.

A negotiation process running in parallel with the development application assessment has resulted in the draft VPA being prepared by the Applicants' legal representatives. Council's legal representatives have reviewed the draft document which is now presented to Council seeking endorsement for its public exhibition in accordance with the Environmental Planning and Assessment Regulation 2021 (the Regulations).

OFFICER'S RECOMMENDATION

THAT

1. Pursuant to clause 204(1) of the Environmental Planning and Assessment Regulation 2021, Council exhibit the draft Voluntary Planning Agreement for a period of 28 days Act;
2. A further report be presented to Council following public exhibition of the draft Voluntary Planning Agreement.

COUNCIL RESOLUTION

THAT

1. Pursuant to clause 204(1) of the Environmental Planning and Assessment Regulation 2021, Council exhibit the draft Voluntary Planning Agreement for a period of 28 days Act;
2. A further report be presented to Council following public exhibition of the draft Voluntary Planning Agreement.

Moved Mayor P Penfold, Seconded Cr P Garnham

CARRIED

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

10.7 COMMUNITY ENVIRONMENTAL ATTITUDES SURVEY OUTCOMES

FILE NO:	55/2
ATTACHMENTS:	1. Maitland City Council Environmental Attitudes Research Report (under separate cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Ben Maddox - Principal Sustainability Officer
MAITLAND +10	Outcome 12. To be ready in case of more hot days, storms and floods
COUNCIL OBJECTIVE:	12.1.1 Partner with the community to develop a sustainability strategy and action plan

EXECUTIVE SUMMARY

Council, in its Local Strategic Planning Statement Maitland 2040+ has committed to the preparation of a comprehensive environmental sustainability strategy. Independent social research firm Micromex was appointed to conduct the community environmental attitudes survey as a follow up to the 2022 customer satisfaction survey. This report outlines the findings of the survey.

OFFICER'S RECOMMENDATION

THAT

- 1. The outcomes of the community environmental attitudes survey are noted and used to inform future planning, including the preparation of the environmental sustainability strategy**
- 2. The results of the survey are promoted, made publicly available and interpreted in ways that are easy for the community to understand**

COUNCIL RESOLUTION

THAT

- 1. The outcomes of the community environmental attitudes survey are noted and used to inform future planning, including the preparation of the environmental sustainability strategy**
- 2. The results of the survey are promoted, made publicly available and interpreted in ways that are easy for the community to understand**

Moved Cr K Ferguson, Seconded Cr M Yarrington

CARRIED

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

10.8 EAST MAITLAND AQUATICS CENTRE, NARANG STREET, MAITLAND CITY COUNCIL

FILE NO:	PRC35489
ATTACHMENTS:	1. East Maitland Pool Locality Map 2. East Maitland Pool Failed Tile Bed
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Kevin Stein - Acting Group Manager Infrastructure & Works Todd Stanley - Manager Building Projects & Services
AUTHOR:	Suellen Goyne - Acting Manager Community and Recreation Geoff Wilton - Operations Manager Building Services
MAITLAND +10	Outcome 4. To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3.1 Manage community assets in line with agreed levels of service as captured in asset management plans, policy and strategy

EXECUTIVE SUMMARY

This report provides the Council with an update on the structural condition of the East Maitland Aquatics Centre, Narang Street, East Maitland and the urgent repair work and upgrades required to re-open the facility.

OFFICER'S RECOMMENDATION

THAT

1. Council undertakes urgent repair work and upgrades to the East Maitland Aquatics Centre as outlined in this report; and
2. Council allocates \$496,000 from the repealed 2006 City Wide Development Contributions Plan to fund the improvements.
3. Council completes a Selected Tender process for the works based on emergency works being exempt from the requirements for Tendering of the local Government Act 993 in accordance with Section 55 (3) (k).

COUNCIL RESOLUTION

THAT

1. Council undertakes urgent repair work and upgrades to the East Maitland Aquatics Centre as outlined in this report; and
2. Council allocates \$496,000 from the repealed 2006 City Wide Development Contributions Plan to fund the improvements.
3. Council completes a Selected Tender process for the works based on emergency works being exempt from the requirements for Tendering of the local Government Act 993 in accordance with Section 55 (3) (k).

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

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

Against:

10.9 OUR REGION, OUR VOICE - REGIONAL YOUTH INVESTMENT PROGRAM GRANT

FILE NO:	29/8
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation
AUTHOR:	David Baker - Team Leader Community and Recreation Planner
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

The Our Region, Our Voice - Regional Youth Investment Program was established in June 2022 by the NSW Government to deliver tailored investments and local projects that enhance the lives and wellbeing of regional youth and support them to live their best life and thrive within their local communities.

Council is eligible under the fund, with applications closing on 4 October 2022.

After thorough consideration of the guidelines and capacity to manage and deliver projects, it is recommended that Council proceed with lodgement of two (2) applications for activating Council youth spaces and facilities through a youth wellbeing and workplace readiness program - Our Place Our Space and the Communities That Care (CTC) program as outlined in the report.

OFFICER'S RECOMMENDATION

THAT

- 1. Council make application to the NSW Government for grant funding of \$450,000 under the Our Region, Our Voice - Regional Youth Investment Project for *Our Place Our Space*.**
- 2. Council make application to the NSW Government for grant funding of \$480,000 under the Our Region, Our Voice - Regional Youth Investment Project for *Communities That Care***
- 3. A further report be provided to Council once the result of the applications are known.**

COUNCIL RESOLUTION

THAT

1. Council make application to the NSW Government for grant funding of \$450,000 under the Our Region, Our Voice - Regional Youth Investment Project for *Our Place Our Space*.
2. Council make application to the NSW Government for grant funding of \$480,000 under the Our Region, Our Voice - Regional Youth Investment Project for *Communities That Care*
3. A further report be provided to Council once the result of the applications are known.

Moved Mayor P Penfold, Seconded Cr P Garnham

CARRIED

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

10.10 SECTION 356 DONATION – CITY UNITED DISTRICT CRICKET CLUB

FILE NO:	10/5/23
ATTACHMENTS:	1. City United District Cricket Club - Request for Financial assistance following fire
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation
AUTHOR:	Judy Jaeger - Group Manager Culture, Community & Recreation
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 for financial assistance under Section 356 of the Local Government Act 1993 to the City United District Cricket Club who lost all of their equipment following a fire at the Council owned storage facility in Maitland Park.

The Section 356 Annual Community Grants Program has closed and applications approved by Council at its meeting held on Tuesday 13th September 2022. The fire that destroyed the building and contents was reported on the morning of the 13th September 2022.

OFFICER'S RECOMMENDATION

THAT

1. Council approve the allocation of \$2,000 to the City United District Cricket Club under Section 356 of the Local Government Act, 1993.

COUNCIL RESOLUTION

THAT

1. Council approve the allocation of \$2,000 to the City United District Cricket Club under Section 356 of the Local Government Act, 1993.

Moved Cr B Whiting, Seconded Cr P Garnham

CARRIED

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

Council moved into policy and finance committee at 6:27 pm

Moved Cr M Griffin / Seconded Cr P Garnham

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

11 POLICY AND FINANCE COMMITTEE

11.1 RISK MANAGEMENT POLICY 2022

FILE NO:	81/17
ATTACHMENTS:	1. Risk Management Policy 2. Risk Management Policy 2015
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Fiona Goodman - Coordinator Risk
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Ensuring risk is managed appropriately across all areas of Council is essential in ensuring Council can meet its established objectives.

A review of Council's existing Risk Management Policy has been undertaken, which has involved benchmarking, alignment to Australian Standards and ensuring requirements of the Local Government Act 1993 and Local Governmental (General) Regulation 2021 have been satisfied.

The policy has been updated, and articulates Council's commitment to implementing integrated risk management principles, systems, and processes in Council's planning, decision-making and operational processes.

OFFICER'S RECOMMENDATION

THAT

- 1. Council adopt the Risk Management Policy 2022.**

COUNCIL RESOLUTION

THAT

- 1. Council adopt the Risk Management Policy 2022.**

Moved Cr S Halliday, Seconded Cr K Ferguson

CARRIED

For:

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

Against:

11.2 STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2022

FILE NO:	82/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Annette Peel - Manager Finance & Procurement
AUTHOR:	Laura Barry - Financial Accountant
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

Clause 212 of the Local Government (General) Regulation 2005 requires Council to report on its investments

OFFICER'S RECOMMENDATION

THAT

1. The report indicating Council's Funds Management position be received and noted;
2. The certification of the Responsible Accounting Officer be noted and the report be adopted.

COUNCIL RESOLUTION

THAT

1. The report indicating Council's Funds Management position be received and noted;
2. The certification of the Responsible Accounting Officer be noted and the report be adopted.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

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

Against:

11.3 PRIORITY WEEDS MANAGEMENT POLICY - REVIEW

FILE NO:	99/3/3
ATTACHMENTS:	1. Priority Weeds Management Policy 2019 2. Priority Weeds Management Policy 2022 - Draft
RESPONSIBLE OFFICER:	Ashley Kavanagh - Manager Works Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Caine James - Operations Manager Recreation Works Tony Gilson - Biosecurity and Environmental Operation Advisor
MAITLAND +10	Outcome 10. To love and look after our great outdoors
COUNCIL OBJECTIVE:	10.2.2 Manage revegetation and the control of weeds and invasive animals in public natural natural spaces

EXECUTIVE SUMMARY

The 'Priority Weeds Management' Policy 2022 will ensure that Council is fulfilling its functions (as a local control authority), and its biosecurity duty (as a land manager) under the Biosecurity Act 2015, in relation to weeds.

OFFICER'S RECOMMENDATION

THAT

1. Council's 'Priority Weeds Management' Policy 2019 be rescinded.
2. Council's 'Priority Weeds Management' Policy 2022 be adopted.

COUNCIL RESOLUTION

THAT

1. Council's 'Priority Weeds Management' Policy 2019 be rescinded.
2. Council's 'Priority Weeds Management' Policy 2022 be adopted.

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

For:

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

Against:

11.4 COUNCILLOR EXPENSES AND FACILITIES POLICY 2022

FILE NO:	35/7
ATTACHMENTS:	1. Councillor Expenses and Facilities Policy Draft
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Stephen McDonald - Manager Governance and Risk
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

At its meeting of 26 July 2022, Council resolved to place the draft Councillor Expenses and Facilities Policy 2022 on exhibition.

The draft was exhibited from 28 July to 25 August 2022. No submissions were received. A minor change has been recommended in the administration of conference attendance by Councillors.

The policy is now submitted to Council for adoption.

OFFICER'S RECOMMENDATION

THAT

- 1. The Councillor Expenses and Facilities Policy 2022 be adopted.**

COUNCIL RESOLUTION

THAT

- 1. The Councillor Expenses and Facilities Policy 2022 be adopted.**

Moved Cr M Griffin, Seconded Cr K Ferguson

CARRIED

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

Against: Cr B Mitchell

Council resumed into Ordinary Council at 6:35 pm.

Moved Cr M Griffin, Seconded Cr K Ferguson

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

Against:

The General Manager read the recommendations from the Policy & Finance Committee

11.1 RISK MANAGEMENT POLICY 2022

THAT

1. Council adopt the Risk Management Policy 2022.

Moved Cr S Halliday, Seconded Cr K Ferguson

CARRIED

11.2 STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2022

THAT

1. The report indicating Council's Funds Management position be received and noted;
2. The certification of the Responsible Accounting Officer be noted and the report be adopted.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

11.3 PRIORITY WEEDS MANAGEMENT POLICY - REVIEW

THAT

1. Council's 'Priority Weeds Management' Policy 2019 be rescinded.
2. Council's 'Priority Weeds Management' Policy 2022 be adopted.

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

11.4 COUNCILLOR EXPENSES AND FACILITIES POLICY 2022

THAT

1. The Councillor Expenses and Facilities Policy 2022 be adopted.

Moved Cr M Griffin, Seconded Cr K Ferguson

CARRIED

A motion was moved that the Committee's recommendations be adopted.

Moved Cr S Halliday, Seconded Cr P Garnham

CARRIED

For:

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

Against:

12 NOTICES OF MOTION/RESCISSION

12.1 SPECIAL INFRASTRUCTURE CONTRIBUTIONS

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 27 September 2022:

Over the last 10 years many Local Government Areas have experienced considerable growth through greenfield developments. Maitland is no stranger to this, being listed as one of the fastest growing LGAs outside of Sydney. To be able to deliver this new housing critical infrastructure is required in a timely fashion to allow councils to meet the expectations of the State Government for addressing housing shortages and cost of living.

Across the Maitland LGA we have seen significant delays in the delivery of key infrastructure due to funds not being readily available from the State. Impacts of these delays can be seen across the Thornton Road network, of which a funding shortfall exists.

Presently, delays witnessed from the release of these funds results in lack of transparency, accountability, and respect from the local community. This reduces the level of confidence from residents in the contribution system. This also reduces the market certainty regarding infrastructure delivery and timeframes, which reduces developer confidence and investment in certain growth areas which are reliant on regional infrastructure being delivered.

THAT

Council submits the following motion for the Local Government NSW Conference:

- 1. LGNSW calls on the NSW Government to provide certainty and timing on the funding of critical regional infrastructure to support growth in greenfield development zones including items listed under existing Special Infrastructure Contribution.*
- 2. LGNSW reiterates to the NSW State Government that without adequate and timely funding for infrastructure greenfield developments critical pressure is placed on the communities within LGAs where growth is occurring and places more barriers to housing supply.*

COUNCIL RESOLUTION

THAT

Council submits the following motion for the Local Government NSW Conference:

- 1. LGNSW calls on the NSW Government to provide certainty and timing on the funding of critical regional infrastructure to support growth in greenfield development zones including items listed under existing Special Infrastructure Contribution.**
- 2. LGNSW reiterates to the NSW State Government that without adequate and timely funding for infrastructure greenfield developments critical pressure is placed on the communities within LGAs where growth is occurring and places more barriers to housing supply.**

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

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

Against:

13 QUESTIONS WITH NOTICE

Nil

14 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 6:39 pm

Moved Cr B Mitchell, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison Cr L Baker Cr K Ferguson Cr P Garnham Cr M Griffin Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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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 6:39 pm.

Moved Cr B Mitchell, Seconded Cr P Garnham

CARRIED

15 COMMITTEE OF THE WHOLE

15.1 PROPERTY ACQUISITION, LOCHINVAR DEVELOPMENT CONTRIBUTIONS PLAN

FILE NO:	PRC25068
ATTACHMENTS:	1. Indicative layout
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Matthew Prendergast - Group Manager Planning & Environment Stephen McDonald - Manager Governance and Risk
AUTHOR:	Michael Rathborne - Senior Property Advisor
MAITLAND +10	Outcome 4. To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3.3 Construct, maintain and manage inclusive sport and recreation facilities across the city

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 Lochinvar Section 94 Contributions Plan 2014 identifies new and augmented recreation and open space facilities required to support the incoming population. The acquisition of privately owned land is required to deliver the facilities identified within the plan.

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 consent to the Compulsory Acquisition of 32 Station Lane, Lochinvar being Lot 4 Deposited Plan 871099;**
- 2. Council authorise the General Manager to negotiate prior to Compulsory Acquisition for all or part of Lot 4 Deposited Plan 871099 at an agreed value up to the financial threshold as identified in the report;**
- 3. If required to facilitate the voluntary acquisition, the cost of any associated subdivisions/legal documentation be at Council's expense.**
- 4. Council authorise the General Manager to sign all documents related to the acquisition;**
- 5. Upon acquisition the land is classified 'Operational Land';**
- 6. A further report is presented to Council as future plans for the site are finalised, including consideration of disposal of any surplus land.**

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

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

15.2 2022 - 2023 PLANT REPLACEMENT PROGRAM

FILE NO:	12/6
ATTACHMENTS:	1. 15 Year Plant Replacement Program
RESPONSIBLE OFFICER:	Kevin Stein - Acting Group Manager Infrastructure & Works
AUTHOR:	Jarrold Baker - Manager Asset Strategy, Planning & Plant
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

This report presented to Council provides the detailed 2022 / 2023 Plant Replacement Plan as the short-term requirement within the 15 Year Plant Replacement Forecast.

As an integral component of asset management, the 2022 / 2023 Plant Replacement Plan is critical to support effective and productive execution of Maitland City Council's Delivery Program 2022 - 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:

(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. The 2022 / 2023 Annual Plant Replacement Program be approved.**
- 2. Approve the delay for replacement of 3 Plant Replacement from the adopted 2021 / 2022 Plant replacement report.**
- 3. The 15 Year Plant Replacement Forecast contained in this report be approved**

Moved Cr P Garnham, Seconded Cr K Ferguson

CARRIED

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

Council resumed into Ordinary Council at 6:48 pm.

Moved Cr B Mitchell, Seconded Cr M Griffin

CARRIED

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

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

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

15.1 Property Acquisition, Lochinvar Development Contributions Plan

THAT

1. Council consent to the Compulsory Acquisition of 32 Station Lane, Lochinvar being Lot 4 Deposited Plan 871099;
2. Council authorise the General Manager to negotiate prior to Compulsory Acquisition for all or part of Lot 4 Deposited Plan 871099 at an agreed value up to the financial threshold as identified in the report;
3. If required to facilitate the voluntary acquisition, the cost of any associated subdivisions/legal documentation be at Council's expense.
4. Council authorise the General Manager to sign all documents related to the acquisition;
5. Upon acquisition the land is classified 'Operational Land';
6. A further report is presented to Council as future plans for the site are finalised, including consideration of disposal of any surplus land.

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

15.2 2022 - 2023 PLANT REPLACEMENT PROGRAM

THAT

1. The 2022 / 2023 Annual Plant Replacement Program be approved.
2. Approve the delay for replacement of 3 Plant Replacement items from the adopted 2021 / 2022 Plant replacement report.
3. The 15 Year Plant Replacement Forecast contained in this report be approved.

Moved Cr P Garnham, Seconded Cr K Ferguson

CARRIED

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

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

17 CLOSURE

The meeting was declared closed at 6:51 pm.

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Chairperson