

ORDINARY MEETING

MINUTES

8 NOVEMBER 2022

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PRESENT

Cr Robert Aitchison
Cr Kristy Ferguson
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

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.

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

COUNCIL RESOLUTION

THAT the apology received for the unavoidable absence of Cr L Baker and Cr S Fisher be accepted and leave of absence granted, and remote attendance of Cr R Aitchison be accepted.

Moved Cr P Penfold, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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 25 October 2022 be confirmed.

Moved Cr K Ranadive, Seconded Cr M Griffin

CARRIED

6 BUSINESS ARISING FROM MINUTES

Nil

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

7.1 Withdrawal of item – 11.1 Request for gateway determination - Kezia Road planning proposal – Oakhampton, the proponent of the proposal to undertake further landowner consultation.

7.2 Correction to the Maitland Development Control Plan, Part C Design Guideline on page 122, clause 5.6 should read:

Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 meter behind the building line to the principal street frontage.

COUNCIL RESOLUTION

THAT

- 1. Council accept the withdrawal of item 11.1 Request for gateway determination - Kezia Road planning proposal – Oakhampton, the proponent of the proposal to undertake further landowner consultation.**
- 2. Council accept the correction to the Maitland Development Control Plan, Part C Design Guideline on page 122, clause 5.6 should read:**

Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road or a minimum 1 meter behind the building line to the principal street frontage.

Moved Cr P Penfold, Seconded Cr P Garnham

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

8 PUBLIC ACCESS

Mark Sweeny-McManus representing himself spoke **against** item 11.2 DA/2022/928 attached dual occupancy and one (1) into two (2) lot torrens title subdivision 13 Corella Close Aberglasslyn

Badri N Pattabiraman representing himself spoke **for** item 11.2 DA/2022/928 attached dual occupancy and one (1) into two (2) lot torrens title subdivision 13 Corella Close Aberglasslyn

Eleanor Tilse representing Hoover Group Pty Ltd spoke **for** 11.4 DA2022-486 14 warehouse or distribution centres in 3 stages, illuminated pylon business identification sign and staged strata subdivision (including 2 x development lots) - lots 506 and 507 dp1270343 65 and 82 Spitfire Place Rutherford.

9 MAYORAL MINUTE

Nil

10 GENERAL MANAGER'S REPORTS

10.1 DELEGATIONS OF AUTHORITY

FILE NO:	40/1
ATTACHMENTS:	1. Draft Delegations of Authority 2022 2. Delegations of Authority 2018
RESPONSIBLE OFFICER:	David Evans - General Manager
AUTHOR:	Leah Flint - Group Manager Strategy Performance and Business Systems
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

In accordance with Section 380 of the NSW Local Government Act 1993, Council is required to complete a review of its delegations within the first 12 months of each term of office.

This review has been completed and the reviewed Delegations of Authority is presented for consideration and adoption by Council.

OFFICER'S RECOMMENDATION

THAT

- 1. Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2018 (Attachment 2);**
- 2. Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in Attachment 1, in accordance with Section 377 of the *NSW Local Government Act 1993*.**

PROCEEDINGS IN BRIEF

Cr M Griffin advised he would like to move the motion as printed with an addition to point two (2). With exception to item three (3), clause B, item three (3), which will remain as cost of over \$5 million dollars.

The following motion was moved.

(Moved Cr M Griffin, Seconded Cr S Halliday)

THAT

1. Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2018 (Attachment 2);
2. Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in Attachment 1, in accordance with Section 377 of the *NSW Local Government Act 1993*. With exception to item three (3), clause B, item three (3), which will remain as 'cost of over \$5 million dollars'.

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT

1. **Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2018 (Attachment 2);**
2. **Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in Attachment 1, in accordance with Section 377 of the *NSW Local Government Act 1993*. With exception to item 3, clause (b), item (iii), which will remain as 'cost of over \$5 million dollars'.**

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

10.2 REVIEW OF ORGANISATION STRUCTURE

FILE NO:	130/69
ATTACHMENTS:	1. Attachment 1: ELT Areas of Responsibility 2. Attachment 2: ELT Direct Reports Structure
RESPONSIBLE OFFICER:	David Evans - General Manager
AUTHOR:	David Evans - General Manager
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

This report is presented to meet the responsibility of the Council to re-determine its organisation structure within the first year of each new term of Council. The current structure resulted from a review finalised by Council in June 2018, the principles of which remain relevant and aligned to the current Delivery Program and Operational Plan, and Maitland +10. Whilst this report proposes there be no change to the current organisation structure, the re-determination of the organisation structure even in its current form must be done by council resolution in order to meet Council's legislative responsibilities.

OFFICER'S RECOMMENDATION

THAT

- 1. Pursuant to Section 333 of the NSW Local Government Act 1993, Council redetermine the organisation structure as presented in Attachment 1 to this report; and**
- 2. For the purposes of Section 332 of the NSW Local Government Act 1993, the four 'Group Manager' positions be confirmed as 'Senior Staff' positions.**

COUNCIL RESOLUTION

THAT

- 1. Pursuant to Section 333 of the NSW Local Government Act 1993, Council redetermine the organisation structure as presented in Attachment 1 to this report; and**
- 2. For the purposes of Section 332 of the NSW Local Government Act 1993, the four 'Group Manager' positions be confirmed as 'Senior Staff' positions.**

Moved Cr P Garnham, Seconded Cr B Whiting

CARRIED

For:

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

Against:

11 PLANNING AND ENVIRONMENT

11.1 REQUEST FOR GATEWAY DETERMINATION - KEZIA ROAD PLANNING PROPOSAL - OAKHAMPTON

ITEM WITHDRAWN

11.2 DA/2022/928 ATTACHED DUAL OCCUPANCY AND ONE (1) INTO TWO (2) LOT TORRENS TITLE SUBDIVISION 13 CORELLA CLOSE ABERGLASSLYN

FILE NO:	DA/2022/928
ATTACHMENTS:	<ol style="list-style-type: none">1. Locality Plan2. Development Plans3. Planners Assessment Report (Under Separate Cover)4. Conditions of Consent and RFS General Terms of Approval5. Submissions6. Photographs from Site Inspections
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Kristy Cousins - Coordinator Planning & Development Georgie Williams - Principal Planner
AUTHOR:	Kanishka Guluwita - Town Planner
APPLICANT:	Professional Development Services Australia Pty Limited
OWNER:	Badri Narayanan Pattabiraman and Jayashree Ramachandran
PROPOSAL:	Dual Occupancy (Attached) and One (1) into Two (2) Lot Torrens Title Subdivision
LOCATION:	13 Corella Close ABERGLASSLYN
ZONE:	R1 General Residential Zone

EXECUTIVE SUMMARY

Council is in receipt of Development Application 2022/928 seeking approval for a Dual Occupancy (Attached) and One (1) into Two (2) Lot Torrens Title Subdivision at 13 Corella Close, Aberglasslyn (See Attachment 1 for the Locality Plan and Attachment 2 for the Development Plans).

The Development Application has been assessed against the Environmental Planning and Assessment Act 1979 (EPA), Environmental Planning and Assessment Regulations 2021, relevant Environmental Planning Instruments and Council Policies. The detailed assessment is provided under Attachment 3 - Planners Assessment Report.

The Development was not a type required to be publicly exhibited or notified, pursuant to any of the applicable statutory or non-statutory provisions; however, Council received seven (7) submissions from the residents in the locality. All submissions were in objection to the proposal based on existing traffic and on-street parking concerns on Corella Close.

The issues and concerns raised in the submissions have been addressed in detail during the assessment of the application. A copy of the submissions is contained in Attachment 5.

Subject to implementing the conditions of consent, the proposed development is considered appropriate for the site and its surrounding environment. As detailed in [Attachment 3](#), the proposal demonstrates compliance with all relevant State Environmental Planning Policies and relevant considerations in accordance with Section 4.15 of EPA Act.

The subject site is one of the last remaining vacant properties located within an established residential street at the north-western edge of Aberglasslyn Urban Release Area (URA) – Western Precinct. The land is appropriately zoned and serviced with all essential utility infrastructure and considered to have capacity to accommodate the proposal. The development is not considered to create impacts anything above and beyond what is expected from a typical dual occupancy in an established residential neighborhood. It is also consistent with the development character of the locality and demonstrates efficient use of the available land.

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 2022/928 for Dual Occupancy (Attached) and One (1) into Two (2) Lot Torrens Title Subdivision at 13 Corella Close Aberglasslyn, is approved subject to the conditions provided in [Attachment 4](#).**

COUNCIL RESOLUTION

THAT

- 1. DA 2022/928 for Dual Occupancy (Attached) and One (1) into Two (2) Lot Torrens Title Subdivision at 13 Corella Close Aberglasslyn, is approved subject to the conditions provided in [Attachment 4](#).**

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 11 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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 ADOPTION OF HOUSEKEEPING AMENDMENT OF THE MAITLAND DEVELOPMENT CONTROL PLAN 2011

FILE NO:	103/172
ATTACHMENTS:	<ol style="list-style-type: none">1. Part A for Adoption (Under Separate Cover)2. Part B for Adoption (Under Separate Cover)3. Part C for Adoption (Under Separate Cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Adam Ovenden - Coordinator City Planning
AUTHOR:	Amanda Wells - Senior 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

On 26th July 2022, Council resolved to place the Housekeeping Amendment to the Maitland Development Control Plan (DCP) 2011 on public exhibition. In accordance with Council's resolution, the amendment was placed on public exhibition for a period of five (5) weeks from 16th August 2022 until 20th September 2022. During this period, one (1) submission was received.

The amendment has been prepared to provide a consistent interpretation of the relevant DCP clauses and update relevant legislation, standards and adopted plans and policies. In addition, the update provides additional clarification and expansion of existing controls and removes some controls from other adopted plans and policies (such as the Manual of Engineering Standards) into a more appropriate space within the DCP.

The purpose of this report is to inform Council of the outcomes of public exhibition and recommends to Council that the housekeeping amendment of the DCP as attached, be adopted.

OFFICER'S RECOMMENDATION

THAT

1. The housekeeping amendment to the Maitland Development Control Plan 2011 be adopted (Attachment 1, 2 and 3).
2. Public notice be given on Council's website within 28 days of the decision being made.

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr P Garnham/ Cr R Aitchison)

THAT

Council amend Part C 8.5 Street building setbacks to read as follows:

5.1 The minimum setback from the principal street frontage to the building in an urban residential zone is 5 metres.

5.6 Garages, carports, sheds and outbuildings are to be setback a minimum of 6 metres from a boundary adjoining a road and a minimum 1 metre behind the building to the principal street frontage.

Note: For sheds and other structures that do not address a street frontage and are not being used for vehicular access or storage, standard setbacks apply.

An amendment was moved to adopt the Officers Recommendation.
(Cr P Penfold/ Cr B Whiting)

The amendment when put to the meeting was declared carried.

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

The amendment on becoming the motion was declared carried.

COUNCIL RESOLUTION

THAT

- 1. The housekeeping amendment to the Maitland Development Control Plan 2011 be adopted (Attachment 1, 2 and 3).**
- 2. Public notice be given on Council's website within 28 days of the decision being made.**

Moved Mayor P Penfold, Seconded Cr B Whiting

CARRIED

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

11.4 DA2022-486 14 WAREHOUSE OR DISTRIBUTION CENTRES IN 3 STAGES, ILLUMINATED PYLON BUSINESS IDENTIFICATION SIGN AND STAGED STRATA SUBDIVISION (INCLUDING 2 X DEVELOPMENT LOTS) - LOTS 506 AND 507 DP1270343 65 AND 82 SPITFIRE PLACE RUTHERFORD

FILE NO:	DA2022/486
ATTACHMENTS:	1. Locality Plan 2. Development Plans 3. Planning Assessment Report 4. Schedule of Conditions 5. Submission
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Kristy Cousins - Coordinator Planning & Development Brian Gibson - Principal Planner
AUTHOR:	Adrian Quinn - Senior Development Planner
APPLICANT:	Hoover Group
OWNER:	James Mae Property Trust
PROPOSAL:	14 warehouse or distribution centres in 3 stages, illuminated pylon business identification sign and staged strata subdivision (including 2 x development lots)
LOCATION:	Lot 506 DP1270343, 82 Spitfire Place Rutherford; Lot 507 DP1270343, 65 Spitfire Place Rutherford
ZONE:	B5 Business Development

EXECUTIVE SUMMARY

Council is in receipt of Development Application 2022/486 seeking approval for warehouse or distribution centres at 82 and 65 Spitfire Place Rutherford, in zone B5 Business Development

This proposal is referred to elected Council for determination as it exceeds Council's delegations with one submission received in objection to the proposal, and capital improvement value (CIV) exceeds \$5 million.

The proponent seeks to erect 14 warehouse or distribution centre units, delivered over 3 stages, involving the following:

- 14 units in 3 buildings, each with mezzanine, ranging from 413.8m² to 1105.4m² with a gross floor area of 9251.1m². Storage of equipment and materials in yards behind 6 of the units.*
- Staging of the development into 3 stages, where all common facilities are to be delivered in stage 1*

- *Staged strata subdivision into 14 lots ultimately, with 2 strata development lots pertaining to construction stages 1 and 3*
- *Proposed hours of operation are 05:00-23:00 daily*
- *Illuminated multi-tenancy business identification pylon sign 6m tall*
- *Extensive site filling to a maximum 500mm in depth*
- *Other minor earthworks to facilitate slabs, paving, utilities, minor cutting*
- *Drainage lines, stormwater detention, driveways, fencing, landscaping*
- *51 car parking spaces*
- *14 bicycle spaces (to be conditioned)*

The Development Application was publicly exhibited between 20 May and 10 June 2022. One (1) submission was received during the exhibition period. One submission was received in objection to the proposal, citing plan details (relative levels) and building finishes as matters for concern with respect of achieving the requirements of the Commonwealth Civil Aviation Act and pilot/aeroplane safety. Conditions of consent have been recommended to address the impacts of the proposal.

The proposal meets all relevant planning policy and legislation, as detailed in the attached assessment report at Attachment 3. Based on the assessment, it is recommended that the Development Application is approved subject to the recommended conditions of consent included as Attachment 4 of this report.

OFFICER'S RECOMMENDATION

THAT

- 1. DA2022/486 for 14 warehouse or distribution centres in 3 stages, illuminated pylon business identification sign and staged strata subdivision (including 2 x development lots), is approved subject to the recommended conditions of consent provided in Attachment 4 of this report.**

Cr Sally Halliday requested that the builder be advised of the requirement to notify Rutherford Aerodrome when a crane is going to be used on site. The General Manager advised this can be communicated formally to the builder through the Construction Certificate.

COUNCIL RESOLUTION

THAT

- 1. DA2022/486 for 14 warehouse or distribution centres in 3 stages, illuminated pylon business identification sign and staged strata subdivision (including 2 x development lots), is approved subject to the recommended conditions of consent provided in Attachment 4 of this report.**

Moved Cr K Ranadive, Seconded Cr B Mitchell

CARRIED

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

The division resulted in 11 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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	

11.5 FOOD ORGANICS GRANT

FILE NO:	61
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:	13.1.5 Implement waste service changes, including the introduction of food organics and garden organics (FOGO) collection

EXECUTIVE SUMMARY

Maitland City Council is eligible to receive funding under the "Go FOGO" grant offered by the NSW EPA for compulsory implementation of a Food Organics and Garden Organics (FOGO) service. This report seeks approval to apply for \$318,820 in funding to support FOGO implementation.

OFFICER'S RECOMMENDATION

THAT

- Council applies for the Go FOGO grant for the purchase of kitchen bench top caddies and compostable liners to support the introduction of the Food Organics and Garden Organics (FOGO) service.**

COUNCIL RESOLUTION

THAT

- Council applies for the Go FOGO grant for the purchase of kitchen bench top caddies and compostable liners to support the introduction of the Food Organics and Garden Organics (FOGO) service.**

Moved Cr P Garnham, Seconded Cr K Ranadive

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

12 CULTURE, COMMUNITY AND RECREATION

12.1 SECTION 356 HIGH ACHIEVERS GRANT

FILE NO:	10/5/19
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Suellen Goyne - Acting Manager Community and 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 2. Community and recreation services and facilities
COUNCIL OBJECTIVE:	2.3.2 To identify and deliver relevant and targeted community education projects

EXECUTIVE SUMMARY

This report presents to Council a recommendation to endorse the funding of two (2) applications under Council's Section 356 High Achievers Grant Program, in accordance with Section 356 of the Local Government Act.

OFFICER'S RECOMMENDATION

THAT

Council adopts the Maitland Sport and Recreation Advisory Board (MSRAB) endorsement of the following two (2) applications for funding through the Section 356 High Achievers Grant Program:

- **Lucy Holt-Moult – National Level Sports – Australian Martial Arts Championships Australian Titles - \$450.00**
- **Thomas Cornwall – International Sports – Australian Futsal u/14 boys UK Tour - \$750.00**

COUNCIL RESOLUTION

THAT

Council adopts the Maitland Sport and Recreation Advisory Board (MSRAB) endorsement of the following two (2) applications for funding through the Section 356 High Achievers Grant Program:

- **Lucy Holt-Moult - National Level Sports - Australian Martial Arts Championships Australian Titles - \$450.00**
- **Thomas Cornwall - International Sports - Australian Futsal u/14 boys UK Tour - \$750.00**

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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

Nil

14 STRATEGY, PERFORMANCE AND BUSINESS SYSTEMS

14.1 AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING DRAFT MINUTES

FILE NO:	35/1
ATTACHMENTS:	1. ARIC Meeting 19 October 2022 Draft Minutes
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Stephen McDonald - Manager Governance and Risk
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

An Audit, Risk and Improvement Committee (ARIC) meeting was held on 19 October 2022 to consider the Financial Statements for the year ending 30 June 2022 and accompanying engagement closing report from the external auditor. The draft minutes of the meeting are submitted to Council for information.

OFFICER'S RECOMMENDATION

THAT

- 1. Council note that in line with its Terms of Reference, the Audit, Risk and Improvement Committee (ARIC) considered the Financial Statements for 2021/22 and Engagement Closing Report at its meeting of 19 October, with no issues raised for Council consideration;**
- 2. Council note the draft minutes of the ARIC meeting of 19 October 2022.**

COUNCIL RESOLUTION

THAT

1. Council note that in line with its Terms of Reference, the Audit, Risk and Improvement Committee (ARIC) considered the Financial Statements for 2021/22 and Engagement Closing Report at its meeting of 19 October, with no issues raised for Council consideration;
2. Council note the draft minutes of the ARIC meeting of 19 October 2022.

Moved Mayor P Penfold, Seconded Cr K Ferguson

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

**14.2 PRESENTATION OF THE FINANCIAL STATEMENTS AND AUDITORS REPORT
FOR THE YEAR ENDED 30 JUNE 2022**

FILE NO:	2/8/24
ATTACHMENTS:	1. Financial Statements for the year ended 30 June 2022
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

Section 419 of the Local Government Act, 1993 (NSW) requires Council to present its financial reports, together with the auditor's reports, to the public.

OFFICER'S RECOMMENDATION

THAT

- 1. The financial reports, together with the auditor's reports, for the year ended 30 June 2022 be presented to the public.**

COUNCIL RESOLUTION

THAT

- 1. The financial reports, together with the auditor's reports, for the year ended 30 June 2022 be presented to the public.**

Moved Cr S Halliday, Seconded Cr K Ranadive

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

15 DIGITAL TRANSFORMATION

Nil

16 WORKPLACE CULTURE AND SAFETY

Nil

17 VIBRANT CITY

Nil

18 ITEMS FOR INFORMATION

18.1 NATIVE SEEDLING DISTRIBUTION PROGRAM 2022-23

FILE NO:	55/16/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Michael Tinlin - Environmental Programs Officer
MAITLAND +10	Outcome 12. To be ready in case of more hot days, storms and floods
COUNCIL OBJECTIVE:	12.1.2 Address urban heat island effects by increasing shade through tree planting and tree retention across the city

EXECUTIVE SUMMARY

Council has been working to improve its approach to tree planting and tree retention across the city, with a focus on public land. In the coming months the native seedling distribution program, which focuses on encouraging private landholders to plant and retain native plants on private land in urban and rural zones within the Maitland Local Government Area. This report outlines initial planning for a revamped native seedling distribution program in alignment with the objectives of the Maitland City Council Delivery Program and Operational Plan.

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 M Griffin, Seconded Cr B Mitchell

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

18.2 COASTAL MANAGEMENT PROGRAM UPDATE

FILE NO:	55/8
ATTACHMENTS:	1. Hunter Estuary Mapped Coastal Areas
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

The Councils of Maitland, Newcastle, Port Stephens, Cessnock, and Dungog, along with Hunter Local Land Services and Hunter Water are developing the Hunter Estuary Coastal Management Program. This Council report is an update on the progress of the first stage of the program being the scoping study and the key milestones that have been achieved.

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 S Halliday, Seconded Cr M Griffin

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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 NSW SINGLE USE PLASTIC BAN

FILE NO:	61/37
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Sarah Jackson - Waste Officer
MAITLAND +10	Outcome 13. To reduce our waste
COUNCIL OBJECTIVE:	13.1.1 Support the State Government's commitment to diversion of waste from landfill

EXECUTIVE SUMMARY

The NSW Government has banned certain single use plastic items under new legislation designed to prevent plastic items from entering the states coastal, marine and bushland environments. Council have been making changes to their operations and communicating with key stakeholders to make sure Council and the community are prepared for the change and are implementing appropriate actions.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Mayor P Penfold, Seconded Cr B Whiting

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

18.4 LOCAL TRAFFIC COMMITTEE MEETING MINUTES (OCTOBER 2022)

FILE NO:	140/5
ATTACHMENTS:	1. Local Traffic Committee Meeting Minutes - October 2022
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Kevin Stein - Manager Engineering & Design
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 6 October 2022 are attached for information. At this meeting no temporary road closure applications for events were considered for approval.

OFFICER'S RECOMMENDATION

1. That the Local Traffic Committee meeting minutes of 6 October 2022 be noted.

COUNCIL RESOLUTION

**THAT the Local Traffic Committee meeting minutes of 6 October 2022 be noted.
Moved Cr R Aitchison, Seconded Mayor P Penfold**

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

18.5 AWARDS AND RECOGNITION PROGRAM COMMITTEE NOMINATIONS

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

EXECUTIVE SUMMARY

The updated Award and Recognition Terms of Reference was adopted by Council on 23 August 2022 and included the need to advertise for new community representation on the Awards and Recognition Committee. The purpose of this report is for Council to be advised of the two new community representatives to sit on the Awards and Recognition Committee for the current Council term.

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 B Whiting

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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

Nil

20 QUESTIONS WITH NOTICE

Nil

21 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 6:36 pm.

Moved Cr B Mitchell, Seconded Cr M Griffin

CARRIED

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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 6.37pm.

Moved Cr M Griffin , Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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: WEBLANDS RESERVE DISTRICT SPORTSGROUND - LANDSCAPE ARCHITECTURE DESIGN AND DOCUMENTATION SERVICES

FILE NO:	2022/137/2101
ATTACHMENTS:	1. Site Plans
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Todd Stanley - Manager Building Projects & Services
AUTHOR:	Allison Cronin - Senior Project Architect
MAITLAND +10	Outcome 4. To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3.8 Commence delivery of a new sportsground at Weblands Reserve Rutherford

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

A two-stage selective tender process has been undertaken to progress the design and delivery of the Weblands Street District Sportsground within the Western Precinct. Expressions of Interest (EOI) for a Principal Design Consultant (Architect) were called on 15 July 2022. The EOI period closed 29 August 2022 and 13 submissions were received. A total of five firms were shortlisted and invited to prepare a tender for Landscape Architectural Design and Documentation Services.

The tender period closed 16 September 2022 and four submissions were received. The tender assessment process has been in accordance with an approved Tender Evaluation Plan and was carried out by a Tender Review Panel and documented in a Tender Evaluation report.

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 Moir Landscape Architecture Pty Ltd's Tender of \$467,724.42 inclusive of GST for the provision of Landscape Architecture services for the Weblands Reserve District Sportsground Project.**
- 2. The common seal of Council be affixed to the contract documents.**

Moved Cr M Griffin, Seconded Cr B Whiting

CARRIED

For:

Cr R Aitchison
Cr K Ferguson
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:

Council resumed into Ordinary Council at 6.39 pm.

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

For:	Cr R Aitchison	Against:
	Cr K Ferguson	
	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: WEBLANDS RESERVE DISTRICT SPORTSGROUND - LANDSCAPE ARCHITECTURE DESIGN AND DOCUMENTATION SERVICES

THAT

1. Council accept Moir Landscape Architecture Pty Ltd's Tender of \$467,724.42 inclusive of GST for the provision of Landscape Architecture services for the Weblands Reserve District Sportsground Project.
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	Against:
	Cr K Ferguson	
	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 6:40 pm.

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Chairperson