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15.1 CONSIDERATION OF TENDERS - WATERMAIN RELOCATION - HIGH STREET, EAST MAITLAND

16 CLOSURE
PRESENT

Clr Peter Blackmore
Clr Paul Casey
Clr Ray Fairweather
Clr Bob Geoghegan
Clr Arch Humphery
Clr Tony Keating
Clr Henry Meskauskas
Clr Steve Procter
Clr Peter Way
Clr Wendy White
Clr Victoria Woods  (arrived at 5.37 pm)

1 INVOCATION

The Acting General Manager read the customary prayer at the commencement of the meeting.

2 APOLOGIES

COUNCIL RESOLUTION

THAT Council accept the apologies for the unavoidable absence of Clrs Garnham and Power.

Moved Clr Procter, Seconded Clr Meskauskas  

CARRIED

Note – Clr Garnham arrived at the meeting at 6.55 pm.

3 DECLARATIONS OF PECUNIARY INTEREST

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of Council held 12 October 2004 be confirmed.

Moved Clr Way, Seconded Clr White

CARRIED
5 BUSINESS ARISING FROM MINUTES
Nil

6 MAYORAL MINUTE
Nil

7 PUBLIC ACCESS
Andrew Petersen spoke for Item 10.3.2 - Development Control Plan 6 Raworth Residential Subdivision.

Richard Bennett spoke against Item 10.3.3 - Regional Hockey Facility - Grant Application.

Kay Thornton spoke for Item 10.3.3 – Regional Hockey Facility – Grant Application.

ARRIVAL OF COUNCILLOR
Clr Woods arrived at 5.37 pm.

Kevin Short spoke for Item 10.3.3 – Regional Hockey Facility – Grant Application.

COUNCIL RESOLUTION
THAT an extension of one minute be granted to Kevin Short.

Moved Clr Way, Seconded Clr White

CARRIED

Ralph Ward spoke for and against Item 10.3.5 – Strategic Planning Maitland.

COUNCIL RESOLUTION
THAT an extension of one minute be granted to Ralph Ward.

Moved Clr Fairweather, Seconded Clr Casey

CARRIED

Richard Bennett spoke against Item 10.3.10 – Bolwarra War Memorial.
Craig Lee spoke for Item 10.3.10 – Bolwarra War Memorial.

Neil Raymond spoke for Item 10.3.10 – Bolwarra War Memorial.

8 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

Nil
9 ITEMS FOR INFORMATION

9.1 KEY PERFORMANCE INDICATORS – SEPTEMBER 2004

File No: 35/37
Responsible Officer: Brad Everett
Group Manager Service Planning & Regulation
Author: Leanne Harris
Manager Corporate Planning

EXECUTIVE SUMMARY

This report provides Council with information in relation to performance against key indicators.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Woods, Seconded Clr Way
CARRIED
9.2 CORRESPONDENCE ANALYSIS

File No: 35/61

Responsible Officer: Graeme Tolhurst
Group Manager Finance & Administration

Author: Matthew Ryan
Corporate Documents Coordinator

EXECUTIVE SUMMARY

This report contains valuable information in relation to Council’s outstanding correspondence. The report is a valuable management tool within the organisation and provides information in relation to adherence to the guidelines for replying to correspondence.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Woods, Seconded Clr Way

CARRIED
9.3 MONTHLY FINANCIAL REPORT - SEPTEMBER 2004

File No: 35/53

Responsible Officer: Graeme Tolhurst
Group Manager Finance & Administration

Author: Phil Freeman
Manager Accounting Services

EXECUTIVE SUMMARY

This report contains relevant performance data for Council. Besides being a valuable management tool, it is a performance mechanism to the general community.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Woods, Seconded Clr Way

CARRIED
9.4 COUNCILLOR MOTIONS

File No: 35/61

Responsible Officer: David Evans
General Manager

Author: David Evans
General Manager

EXECUTIVE SUMMARY

The following report details the current status of Councillor Motions/Urgent Business/Questions without Notice which are currently being actioned by Council Officers.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Way, Seconded Clr Geoghegan

CARRIED
EXECUTIVE SUMMARY

Hunter Resource Recovery (HRR) released its Operational Report for the 2003-2004 financial year, highlighting the company’s activities, its overall performance as well as providing an overview of the Contractor’s performance and subcontractors activities. This report will summarise some of the major achievements of the company over this period in environmental education, environmental management and overall service improvement.

Some of the major achievements over this period include the recycling of over 23760 tonnes of material from the three Local Government Areas of Maitland, Cessnock and Lake Macquarie, a new record low contamination rate recorded, a further increase in service and support to local schools recycling collection service and provision of educational material, wide media exposure for Hunter Resource Recovery’s campaigns and service, as well as a continued effort reduce operational costs.

Overall, Hunter Resource Recovery continue to provide a world-class recyclables collection service to the Maitland community and beyond, along with excellent educational support for the people of Maitland. Council’s involvement with HRR signifies Council’s ongoing commitment to environmentally responsible waste management in Maitland.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Woods, Seconded Clr Way

CARRIED
9.6 STATUS REPORT ON CAPITAL WORKS PROJECTS

File No: 122/813

Responsible Officer: Brad Everett
Group Manager, Service Planning and Regulation

Wayne Cone
Group Manager, City Works and Services

Author: Richard Minter
Manager Consulting and Contracts

EXECUTIVE SUMMARY

Council has a range of Capital Works Projects which are undertaken in house by the City Works and Services Group and externally by contract construction groups.

A report on the status of major construction works and projects within the 2004/2005 Capital Works program and the final projects in the 2003/2004 program are submitted for Council’s information.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Clr Meskauskas, Seconded Clr Fairweather

CARRIED
10 OFFICERS REPORTS

10.1 GENERAL MANAGER

10.1.1 CODE OF MEETING PRACTICE

File No: 35/7

Responsible Officer: David Evans
   General Manager

Author: Graeme Tolhurst
   Group Manager Finance & Administration

EXECUTIVE SUMMARY

This report proposes minor changes to Council's Code of Meeting Practice that will assist in the order of business. Also, applications for Public Access will only be received up until 2.00pm on the day of a Council meeting. Previously it was 5.00pm.

OFFICER'S RECOMMENDATION

THAT

1. Council determine in accordance with Section 362(2) of the Local Government Act (1993) that the proposed amendments are not substantial.

2. Adopt the amended Code of Meeting Practice as set out in this report without public exhibition.

PROCEEDINGS IN BRIEF

Debate then commenced on this item by Cr Keating.
ADJOURNMENT OF MEETING

PROCEEDINGS IN BRIEF

Due to the disruption of the meeting by a member of the public, the Mayor called for a motion to adjourn the meeting for 5 minutes - under 9.3 of the Code of Meeting Practice – How Disorder at a Meeting may be Dealt with.

The meeting recommenced after 5 minutes.

COUNCIL RESOLUTION

THAT under Section 9.3 of the Code of Meeting Practice – How Disorder at a Meeting may be Dealt with - the meeting be adjourned for 5 minutes.

Moved Clr Woods, seconded Clr Way

CARRIED

The meeting was adjourned at 6.05 pm.

RESUMPTION OF MEETING -

The meeting resumed at 6.10 pm.

PROCEEDINGS IN BRIEF

A motion was then moved that under Section 9.3 of the Code of Meeting Practice – How Disorder at a Meeting may be Dealt with – that the member of the public be escorted from the Chamber by the Police.

Moved Clr Woods, seconded Clr Way

The Public Officer then rang the Police to have the person removed from the Chamber.

The Mayor asked that the question be put as to whether to proceed with the matter before the chair.

The question was then put to the meeting.

COUNCIL RESOLUTION

THAT under Section 9.3 of the Code of Meeting Practice – How Disorder at a Meeting may be Dealt with – a member of the public who had disrupted the meeting – be escorted from the Chamber by the Police.

Moved Clr Woods, seconded Clr Way

CARRIED
COUNCIL RESOLUTION

THAT  the meeting continue.

Moved Clr Woods, seconded Clr Way

CARRIED
ITEM 10.1.1 – CODE OF MEETING PRACTICE (Cont’d)

PROCEEDINGS IN BRIEF (Cont’d)

A motion was moved that the Code of Meeting Practice under Section 362(2) of the Local Government Act (1993) the Code of Meeting Practice be adopted with the exception that Notices of Motion be forwarded to the General Manager not less than eight (8) days prior to the date of the meeting, ie Monday week prior to the meeting by 9 am - (Item 5.1 (d)) – as follows:

5.1 Notices of The motion.

(d) Notices of Motion must be forwarded to the General Manager not less than eight (8) days prior to the date of the meeting, ie Monday week prior to the meeting at which it is proposed the matter is to be discussed [Reg Clause 13(a)] – by 9 am.

Moved Clr Keating, seconded Clr Way

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT under Section 362(2) of the Local Government Act (1993) the Code of Meeting Practice be adopted with the exception that Notices of Motion be forwarded to the General Manager not less than eight (8) days prior to the date of the meeting, with late applications only to be considered if deemed urgent by the Mayor or General Manager - (Item 5.1 (d)) – as follows:

5.1 Notices of The motion.

(d) Notices of Motion must be forwarded to the General Manager not less than eight (8) days prior to the date of the meeting at which it is proposed the matter is to be discussed [Reg Clause 13(a)], with late applications only to be considered if deemed urgent by the Mayor or General Manager.

Moved Clr Keating, seconded Clr Way

CARRIED
10.2 FINANCE AND ADMINISTRATION

10.2.1 PRESENTATION OF FINANCIAL REPORTS AND AUDITOR’S REPORTS FOR YEAR ENDED 30 JUNE 2004

File No: 2/10 & 2/8/10

Responsible Officer: Graeme Tolhurst
Group Manager Finance & Administration

Author: Phil Freeman
Manager Accounting Services

EXECUTIVE SUMMARY

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

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT the financial reports, together with the auditor’s reports, for the year ended 30 June 2004 be presented to the public.

Moved Cllr Woods, Seconded Cllr Way

CARRIED
10.2.2 2005 LOCAL PUBLIC HOLIDAYS

File No: 130/16

Responsible Officer: Graeme Tolhurst
Group Manager Finance & Administration

Author: Graeme Tolhurst
Group Manager Finance & Administration

EXECUTIVE SUMMARY

The Office of Industrial Relations have written to Council, requesting any additional local public holidays for the year 2005. Maitland City Council did not have any local public holidays in 2004 and would seek to have the same arrangement for 2005.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT the Office of Industrial Relations be notified that Council will not be seeking any additional public holidays for 2005.

Moved Clr Woods, Seconded Clr Way

CARRIED
10.2.3 COMMUNITY AWARDS PANEL

File No: 35/44

Responsible Officer: Graeme Tolhurst
Group Manager Finance & Administration

Author: Graeme Tolhurst
Group Manager Finance & Administration

EXECUTIVE SUMMARY

This report deals with the appointment of Councillors and community representatives to the Community Awards Panel.

OFFICER’S RECOMMENDATION

THAT

1. Council determine its Councillor representative from each ward.

2. Council appoint Greg Farrow and Heather Russell-McLaren as the two community representatives on the Panel

PROCEEDINGS IN BRIEF

A motion was moved that 3 members be allowed on the Committee, ie Greg Farrow, Heather Russell-McLaren and Mrs Margaret Sivyer.

Moved Clr Procter, seconded Clr Fairweather

A further motion was the moved that the following Councillors be represented from each Ward:

West Ward – Clr Meskauskas

East Ward – Clr Garnham

Central Ward – Clr Woods

North Ward – Clr Keating

Moved Clr Way, seconded Clr Procter

COUNCIL RESOLUTION

THAT:

1. Councillor representation from each Ward be as follows:

   West Ward – Clr Meskauskas

   East Ward – Clr Garnham
COMMUNITY AWARDS PANEL (Cont.)

Central Ward – Clr Woods

North Ward – Clr Keating

Moved Clr Way, seconded Clr Procter

2. Council appoint Greg Farrow, Heather Russell-McLaren and Margaret Sivyer, as the community representatives on the Panel.

Moved Clr Procter, seconded Clr Fairweather

CARRIED
10.3 SERVICE PLANNING AND REGULATION

10.3.1 DA 04/2560 FIVE (5) SINGLE STOREY MEDIUM DENSITY RESIDENTIAL UNITS LOT 1 DP 1014230 1 PEDEN PLACE, ASHTONFIELD

RECOMMENDATION: APPROVAL

File No: DA 04/2560
Attachments: Locality Plan
Application Plans
Authority from Rural Fire Service
Submissions

Responsible Officer: David Simm
Manager Development & Environment

Author: Mark Daniels
Senior Town Planner

Applicant: Agcad Pty Ltd

Proposal: Five (5) Single Storey Medium Density Residential Units

Location: 1 Peden Place, Ashtonfield

Zone: 2(a) Residential

EXECUTIVE SUMMARY

Development consent is sought from Council for Five (5) Single Storey Medium Density Residential Units at 1 Peden Place, Ashtonfield. The subject land is zoned 2(a) Residential under Maitland Local Environmental Plan, 1993.

Medium Density Housing is a permissible form of development in the 2(a) Residential Zone with Council consent and is not inconsistent with the objectives of the zone.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT: DA 04/2560 for Five (5) Single Storey Medium Density Residential Units on Lot 1, DP 1014230 1 Peden Place, Ashtonfield be approved, subject to the conditions of consent set out in the attached schedule.

MovedClr Bob Geoghegan, Seconded Cllr Meskauskas

CARRIED
SCHEDULE OF CONDITIONS

COMPLIANCE
Reason: The following condition(s) have been applied to confirm and clarify the terms of Council’s Approval.

1 The proposed development is to be carried out strictly in accordance with the stamped approved plans Drawing No. 086-01 as amended 27/9/04, 086-02, 086-03, 086-04 and 086-05 dated June 2004 submitted with the application, and any amendments to those plans arising through conditions to this consent.

2 Compliance with the requirements of the NSW Rural Fire Service, pursuant to section 100B of the Rural Fires Act, 1997, attached as Appendix A to this consent and dated 22 September 2004.

LANDSCAPING
Reason: The following condition(s) have been applied to ensure that adequate provision is made for the landscaping of the site in association with the proposed development, to enhance the external appearance of the development, and to ensure that existing and proposed landscaped areas are appropriately maintained.

3 The landscaped area of the development is to be maintained at all times in accordance with the approved landscape plans.

4 The proposed required landscaped areas are to be kept free of parked vehicles, stored goods, garbage or waste material and are to be permanently maintained.

UTILITY SERVICES
Reason: The following condition(s) have been applied to ensure that adequate utility installations are provided to the site to serve the development and to satisfy the requirements of the various servicing authorities.

5 A Certificate under Section 50 of the Hunter Water Corporatisation Act, 1991, shall be obtained prior to issue of the relevant Construction Certificate. Applications for Section 50 Certificates are to be made direct to the Hunter Water Corporation.

CONTRIBUTIONS/FEES
Reason: The following condition(s) have been applied to ensure that:

i) Where the proposed development results in an increased demand for public amenities and services, payment towards the cost of providing these facilities/services is made in accordance with Councils adopted contributions plan prepared via the provisions of section 94 of the Environmental Planning and Assessment Act, 1979.
ii) Council's administration expenses are met with respect to the processing of the application.

6 The payment of a monetary contribution in accordance with Council's policy adopted on the 1st September, 1995 for the Provision of public amenities and services within the Maitland Local Government Area as follows:-

City Wide
1. Community Amenities & Services  $ 5380.00
2. Recreation & Open Space  $ 2092.00
3. Cycleway  $  492.00
4. Urban Roads  $  208.00
5. Administration  $  600.00
6. East Sector - Recreation & Open Space $ 2320.00

TOTAL  $11092.00

NOTE: The above rates are effective from 1st January 2004, and will be subject to inflation adjustment, calculated as at the date of payment. The method of adjustment shall be based on the Implicit Price Deflator (Total Public Gross Fixed Capital Expenditure) as published by the Australian Bureau of Census and Statistics. The above payment is to be made prior to release of the relevant Construction Certificate.

7 A Drainage Plan Assessment fee of $434 for the proposed development, based on Council’s current Fees and Charges Schedule, must be paid prior to issue of the Construction Certificate.

TRAFFIC/ROADS/FOOTPATH

Reason: The following condition(s) have been applied to ensure that the surrounding road system, footpaths, access/egress and internal parking and maneuvering areas are designed and constructed to a standard adequate to service the proposed development.

8 A Heavy duty vehicular footpath crossing shall be constructed as a full width concrete slab in accordance with the design criteria contained in Maitland City Council Standard Drawings SD77 and SD78. Concrete shall be 150mm thick and doubly reinforced with two layers of F72 mesh. The top layer of reinforcement shall have 25mm clear cover to the top. The bottom layer shall have 50mm clear cover to the bottom. Only ready mixed concrete of 28 day compressive strength not less than 32Mpa shall be used. Finish shall be broom finished plain concrete only, unless some other finish has been specified in the Development Application. The crossing is to be located clear of the intersection kerb return.
DA 04/2560 Five (5) Single Storey Medium Density Residential Units Lot 1 DP 1014230 1 Peden Place, Ashtonfield (Cont)

9 Prior to issue of the Construction Certificate, a driveway profile from the street gutter to the internal vehicle driveway shall be submitted to Council for approval, complying with Council’s standard drawings, showing existing and proposed surface levels.

10 Barricades and lights are to enclose the whole of the vehicular crossing work area, and are to be maintained for the duration of the work. Adjacent footpath areas are to be kept clear of debris etc. at all times and in a safe condition for pedestrian access.

11 Where concrete has been poured, the works shall be closed to traffic for seven days after the pour. After completion of works, and removal of formwork, the adjacent footpath shall be trimmed or filled along the edges of the works to an even grade of 1(V) to 4(H) maximum. Concrete surfaces shall be broom finished plain concrete only, unless some other finish has been specified in the Development Application. All edges and dummy joints finished with a 75mm edging tool. The kerb layback and footpath crossing slab shall not be integral, but be separated by a full depth bitumen impregnated joint filling strip.

DRAINAGE & SEDIMENT/EROSION CONTROL

Reason: The following condition(s) have been applied to ensure that:
(i) Adequate sediment/erosion control structures are provided to prevent siltation of existing drainage systems and waterways;
(ii) Stormwater internal and external to the proposed development site is controlled to minimise the risk of flooding to upstream and downstream properties; and
(iii) Due regard is given to the development of flood liable land or land in the vicinity of flood liable land.

12 On site stormwater detention must be provided. An amount of 17.0 cubic metres of detention and a permissible site discharge of 29 litres per second is to be provided for the overall development. A practising Engineer or suitably qualified person is to prepare designs that must be submitted and approved by Council prior to the issue of a Construction Certificate. The stormwater detention system is not to be removed or altered without the express permission of Maitland City Council, the system is to be maintained in good working order at all times. The Drainage Plan Assessment fee must be paid prior to issue of the Construction Certificate.

13 Stormwater overflow, discharge and dispersal from the OSD drainage system into the adjacent public reserve shall be designed, installed and maintained so as to ensure that no erosion, scouring or concentration of water flow occurs on the adjoining reserve. Such design shall be incorporated into the site drainage design and submitted to Council for approval prior to the issue of a Construction Certificate.
Council will conduct quality control inspections during construction of the OSD system and connection to the public reserve in order to assess satisfactory compliance with the approved engineering plans and Council’s Subdivision construction standards. The applicant is to notify Council at least 24 hours in advance of inspections required for the abovementioned works. These works are to be completed to Council’s satisfaction prior to the issue of an Occupation Certificate or endorsement of the Final Plan of Survey by Council.

The site and its surrounding environs are to be protected from the effects of sediment and erosion by the application of generally accepted sediment and erosion control principles. In this respect, a sediment and erosion control plan shall be submitted to Council for reference, and site controls shall be established in accordance with that plan certified by a practising Engineer or suitably qualified person, must be submitted to Council prior to the issue of a Construction Certificate. Council must also receive Certification that the site controls are in place, prior to the commencement of works.

Standard General Provisions

Reason: The objectives of the following conditions is to draw to the attention of the applicant and owner their responsibilities to comply with various provisions of the Environmental Planning and Assessment Act, 1979, Environmental Planning and Assessment Regulations, 1994, Local Government Act, 1993; Regulations, Building Code of Australia and Local Policies relating to building construction and maintenance.

THE APPLICANT IS REQUIRED TO SUBMIT TO COUNCIL, ‘NOTICE OF COMMENCEMENT’ AT LEAST TWO (2) DAYS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORKS.

INSPECTIONS ARE REQUIRED to be carried out in accordance with the Inspection Schedule as detailed with the attached Construction Certificate.

THE BUILDING, OR ANY PORTION OF THE BUILDING, SHALL NOT BE OCCUPIED UNTIL AN OCCUPATION CERTIFICATE HAS BEEN ISSUED.

All aspects of the building design shall comply with the applicable performance requirements of the BCA for a Class 1(a) dwelling so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
a) complying with the deemed to satisfy provisions, or
b) formulating an alternative solution which:
   i) complies with the performance requirements, or
   ii) is shown to be at least equivalent to the deemed to satisfy provision, or

c) a combination of a) or b).

20 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

21 The completed building is to be setback from boundary alignments as indicated on the approved plans.

22 The Owner should note that the issue of this development consent does not amount to a release, variation or modification by Council of any covenant applicable to this property and that any action taken by the applicant in accordance with the consent which results in any loss or damage by way of breach of the covenant will not be the responsibility of Council.

23 The proposed structures shall not be located on or over any easements on the subject allotment other than as may be expressly permitted and indicated on the approved plans.

24 THE BUILDINGS SHALL BE SET OUT BY A REGISTERED SURVEYOR. A Survey Certificate shall be submitted prior to, or at the time of, the footing inspection; indicating the location of the footprint of the building relative to the boundaries of the lot and (where applicable) other buildings located on the lot.

25 A copy of the approved plans and specifications and consent shall be kept on the site at all times during construction.

26 (1) Building work that involves residential building work (within the meaning of the Home Building Act, 1989) must not be carried out unless the principal certifying authority for the development to which the work relates:

(a) in the case of work to be done by a licensee under that Act:
   (i) has been informed in writing of the licensee's name and contractor licence number, and
   (ii) is satisfied that the licence has complied with the requirements of Part 6 of that Act, or
(b) in the case or work to be done by any other person;
   (i) has been informed in writing of the person's name and owner-builder permit, or
   (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

(2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act, 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that part.

27 All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

SERVICES & EQUIPMENT

Reason: The objectives of the following conditions are to ensure that adequate inbuilt and external fire protection services are provided to restrict fire growth, facilitate fire safety, prevent fire spreading to adjoining buildings or allotments, to enable safe evacuation of occupants before the environment becomes untenable, to provide services that facilitate safe egress in the event of power failure, to provide early warning and or initiate automatic counter measures and to provide for on-going maintenance of all active services.

28 In a Class 1 dwelling, self-contained smoke alarms must be installed on or near the ceiling between each area containing bedrooms and the remainder of the building, including hallway associated with the bedrooms. These must be connected to mains electrical power supply and have a standby power supply.

SITE CONSIDERATIONS

Reason: The objectives of the following conditions are to provide for a safe and healthy environment for the occupants of the allotment and to maintain an adequate level of safety and cleanliness for the local environment.
All excavated and/or filled areas are to be retained or battered and suitably drained so as to prevent any subsidence of the area and constructed so as to deny any flow of water into or around the building or neighbouring buildings or onto neighbouring land.

Where a retaining wall is planned for this purpose and such wall exceeds 1.0 metres in height at any point from finished ground level, plans and specifications of the construction SHALL BE APPROVED BY COUNCIL BEFORE WORKS COMMENCE. Plans and specifications of retaining walls greater than 1.0 metres in height MUST BE CERTIFIED BY A PRACTICING PROFESSIONAL ENGINEER. Note: The submission of a separate Development Application is not required for a retaining wall associated with this approval and indicated on the approved plans.

All building refuse on this building site shall be stored in such a manner so as not to cause a nuisance to adjoining properties.

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

i) Must preserve and protect the building from damage, and

ii) If necessary, must underpin and support the building in an approved manner, and

iii) Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (Includes a public road and any other public place).

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
i) Stating that unauthorised entry to work site is prohibited, and

ii) Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted during work hours.

Any such sign is to be removed when the work has been completed.

This condition does not apply to:

i) Building work carried out inside an existing building, or

ii) Building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

33 Approved toilet facilities are to be provided, at or in the vicinity of the work site on which the work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. The provision of toilet facilities in accordance with this Clause must be completed before any other work is commenced.

34 The site is to be cleared of all building refuse and spoil immediately after completion of the building.

35 No building materials, refuse or spoil are to be deposited, or be allowed to remain, on Council’s footpath.

36 Soil erosion and sediment controls are to be provided in accordance with Council’s policy PRIOR TO, AND AT ALL TIMES DURING, the construction of the proposed development.

37 The applicant is required to notify Council in writing prior to commencing building operations, of any existing damage to kerbing and guttering and/or footpath paving associated with the subject Lot. The absence of such notification signifies that no damage exists and the applicant shall therefore be liable for the cost of the repair of any damage to kerbing and guttering or footpath paving which may be necessary after completion of the building operation.

38 Rubbish generated from the development is to be suitably contained on site at all times. No rubbish shall be stockpiled in a manner which facilitates the rubbish to be blown off site.
STRUCTURAL PROVISIONS

Reason: The objectives of the following conditions are to ensure that buildings are designed and constructed to take into account all loads, internal actions, material properties and foundation conditions that significantly affect structural sufficiency or serviceability of the building or structure.

39 The design and installation of slab and/or footing systems shall be in accordance with the requirements of Australian Standard AS2870-1996 (Residential Slabs and Footing Code), or alternatively designed and certified by a practising professional structural engineer.

40 The proposed roof trusses, wall frame and bracing are to be erected in strict accordance with manufacturers plans and specifications.

ANCILLARY PROVISIONS

Reason: The objectives of the following conditions are to provide more specific requirements for particular points of building or structures and to compliment provisions of related legislation.

41 Termite Control Methods are to be installed or applied to the building and must comply with the provisions of the Building Code of Australia and AS3660.1-1995 in regard to suitability of use. A durable notice, detailing all the methods of termite protection installed, is to be completed and located in or near the meter box or similar location so that it can be readily observed by building owners and occupiers.

42 A report from a licensed pest controller or approved installer is to be provided prior to completion of the construction works. The report is to certify that the termite protection measures applied to the building have been installed in accordance with the Building Code of Australia and the manufacturers requirements.

43 The applicant shall comply with all conditions within this schedule prior to occupancy of the proposed development.

44 Unless otherwise approved by Council in writing; all building work associated with this approval shall be carried out between 7.00am and 6.00pm Monday to Fridays and 7.00am to 5.00pm on Saturdays with no work permitted on Sundays or Public Holidays that may cause offensive noise.
45 Where a lot has frontage to existing concrete foot paving or a cycle path within the footpath, then the location of the proposed vehicular driveway access to the building is to be identified and the concrete paving removed over the width of the access. Access to the site by construction traffic will only be permitted at this location. Any damage to the remainder of the footpaving/cyclepath is to be reinstated by the property owner to Council's satisfaction.

46 In accordance with Council's Energy Smart Homes Development Control Plan No. 31; the hot water system shall have a minimum Greenhouse Score of 3.5 stars.
EXECUTIVE SUMMARY

Council resolved at its meeting of the 27 July 2004 to prepare and exhibit for twenty-eight (28) days proposed changes to “Development Control Plan (DCP) No. 6 - Raworth Residential Subdivision”. The proposed changes related to the identification of land within the Morpeth Manor Residential Estate as “Lifestyle Allotments”. It is proposed to preclude re-subdivision, dual occupancy or medium density housing on land described as “Lifestyle Allotments”.

The draft DCP was placed on public exhibition from 11 August 2004 to 10 September 2004. Two (2) submissions were received from public exhibition. Issues identified in the submissions are summarised and discussed in the report and where relevant proposed to be incorporated into the DCP for adoption by Council.

OFFICER’S RECOMMENDATION

THAT Development Control Plan No 6 – Raworth be adopted subject to the exclusion of Lots 720-723 inclusive, in DP 1062779, for the reasons detailed in the report.

PROCEEDINGS IN BRIEF

A motion was moved that Development Control Plan No 6 – Raworth be adopted with no exclusions.

Moved Clr Procter, seconded Clr Way

COUNCIL RESOLUTION

THAT Development Control Plan No 6 – Raworth be adopted with no exclusions.

Moved Clr Procter, seconded Clr Way  CARRIED
EXECUTIVE SUMMARY

Council at its last meeting resolved to proceed to prepare an application under NSW Government sporting facilities program to secure funding for synthetic hockey facility and that a progress report on the application be presented to the next meeting of Council.

Grants are now being called under the Regional Sports Facilities Program and Maitland Hockey Association Inc. are seeking Council’s support. The maximum grant available for the project has been reduced from $400,000 to $200,000. A number of sites have been considered and each has certain constraints. A stand alone green fields site should be considered, but has not been identified as yet.

In February 2004, Council adopted the Maitland Recreation & Open Space Strategy Review (MROSSR) which provides a clear vision and direction regarding the purpose, level of provision, development priorities and management of recreational open space areas in the Maitland local government area (LGA). The recommendations in the MROSSR provide strategic direction regarding priority actions to achieve the vision over the next 5-10 years. Consideration of the synthetic hockey facility should be made in the context of this strategy.

This report details the current status of the regional hockey facility grant proposal and seeks a determination from the Council. Maitland Hockey Association Inc. has resubmitted a Strategic Business Plan that forms the basis of the considerations and conclusions contained in this report.

OFFICER’S RECOMMENDATION

THAT:

1. The contents of the report be noted.

2. Council make a determination on the preferred site.

3. Council make a determination on the lodgement of a Regional Sports Facility Grant and advise the Maitland Hockey Association Inc. accordingly.
A motion was moved that:

1. Council lodge an application for a grant under the Regional Sports Facility Program (NSW) for a synthetic hockey facility. Council advise Maitland Hockey Association Inc accordingly of this action;

2. In principle, Council supports the former Gasworks site, Melbourne Street, East Maitland, as the preferred location;

3. Council continue to investigate other sites to assess their comparative suitability to the preferred site;

4. For the purpose of the application –
   
   (a) Funding for the facility to be based on preliminary cost estimates for a green field site;
   
   (b) Funding to consist of –

   - Existing allocation from Section 94 Funds $345,000
   - Loan – Maitland Hockey Association Inc (Council guarantor) $300,000
   - Grant – Regional Sports Facility Program $200,000
   - Mix of funds from –
     - Section 94 Funds – recreational area and, Funds from 2003/2004 budget surplus (of $305,000) $355,000

   TOTAL: $1,200,000

5. If and when the grant is secured under the Regional Sport Facility Program, Council determine the –

   (a) actual cost of the project;
   
   (b) site of the project, and
   
   (c) final funding sources of the project.

Moved Cllr Keating, seconded Cllr Fairweather

The motion when put to the meeting was declared carried.
COUNCIL RESOLUTION

THAT:

1. Council lodge an application for a grant under the Regional Sports Facility Program (NSW) for a synthetic hockey facility. Council advise Maitland Hockey Association Inc accordingly of this action;

2. In principle, Council supports the former Gasworks site, Melbourne Street, East Maitland, as the preferred location;

3. Council continue to investigate other sites to assess their comparative suitability to the preferred site;

4. For the purpose of the application –
   (a) Funding for the facility to be based on preliminary cost estimates for a green field site;
   (b) Funding to consist of –
       Existing allocation from Section 94 Funds $345,000
       Loan – Maitland Hockey Association Inc (Council guarantor) $300,000
       Grant – Regional Sports Facility Program $200,000
       Mix of funds from –
       Section 94 Funds – recreational area and, Funds from 2003/2004 budget surplus (of $305,000) $355,000
       TOTAL: $1200000

5. If and when the grant is secured under the Regional Sport Facility Program, Council determine the –
   (a) actual cost of the project;
   (b) site of the project, and
   (c) final funding sources of the project.

Moved Clr Keating, seconded Clr Fairweather

CARRIED
ADJOURNMENT OF MEETING

COUNCIL RESOLUTION

THAT the meeting be adjourned at 6.47 pm for 5 minutes as the Police had arrived to remove a member of the public as resolved earlier in the meeting.

Moved Clr Way, seconded Clr Woods

CARRIED

RESUMPTION OF MEETING

The meeting resumed at 6.52 pm.

ARRIVAL OF COUNCILLOR

Clr Garnham arrived at the meeting at 6.55 pm.
10.3.4 DRAFT GILLIESTON HEIGHTS MASTERPLAN

File No: 103/111

Responsible Officer: Brad Everett
Group Manager Service Planning & Regulation

Author: Bo Moshage
Town Planner

EXECUTIVE SUMMARY

A draft Masterplan has been prepared for the Gillieston Heights Investigation Area. However, unlike the Thornton North area where Council produced the Masterplan, there was an opportunity for preliminary work to be undertaken by consultants working on behalf of a small number of landowners.

The draft Gillieston Heights Masterplan was prepared under Council’s guidance and addresses a wide range of matters raised during the preliminary consultation and investigations. A copy of the draft Masterplan and supporting documentation is included under separate cover for the information of Councillors.

It is recommended that Council resolve to publicly exhibit the draft Masterplan and supporting documentation for a minimum period of eight (8) weeks, including displays at Council’s Administration Building, the Maitland Library and a fixed display at the Gillieston Heights General Store. Persons who have lodged an expression of interest in relation to the Masterplan will also be formally notified.

A further report will be submitted to Council following the exhibition period, detailing issues raised during exhibition and any necessary changes to the draft Masterplan. This report will also include provisions for an Infrastructure or Section 94 Plan supporting development in this area.

OFFICER’S RECOMMENDATION /COUNCIL RESOLUTION

THAT:

1. The draft Gillieston Heights Masterplan be publicly exhibited for eight (8) weeks.

2. A further report be presented to Council following the conclusion of the exhibition period.

Moved Clr Geoghegan, Seconded Clr Way

CARRIED
10.3.5 STRATEGIC PLANNING IN MAITLAND

File No: 103/77
Attachments: Correspondence from DIPNR
MUSS 2004 Delegation Map
Responsible Officer: Brad Everett
Group Manager Service Planning & Regulation
Author: Monica Gibson
Acting Manager City Strategy

EXECUTIVE SUMMARY

Council is in receipt of correspondence from the Department of Infrastructure, Planning and Natural Resources (the Department) regarding the Maitland Urban Settlement Strategy 2004. In general, the Department supports and agrees with the efforts of Council in preparing a comprehensive strategic planning document for the Maitland Local Government Area.

A number of issues are raised in the correspondence from the Department regarding regional planning investigations and strategies in the Lower Hunter.

The Department is also encouraging a review of rural residential zones and investigation areas in Maitland as part of a trend to increase development potentials and yields.

Land in the Ashtonfield/ Louth Park area is part of a significant regional land holding in the Lower Hunter and the Department requests deferral of major land use planning decisions for this area until a regional planning context is determined through the Lower Hunter Regional Strategy.

Delegations are therefore forthcoming for Category 1 Investigation Areas and some Preferred Rural Residential Investigation Areas as identified in the Maitland Urban Settlement Strategy 2004.

OFFICER’S RECOMMENDATION

THAT:

1. Council acknowledge the support from the Department of Infrastructure, Planning and Natural Resources for the Maitland Urban Settlement Strategy 2004.

2. Council note the delegation of functions under Section 65(1) and 69 of the Environmental Planning and Assessment Act 1979 to the General-Manager for the following investigation areas in the Maitland Urban Settlement Strategy 2004:
• Category 1 Investigation Areas
  a) Thornton North
  b) Gillieston Heights
  c) Aberglasslyn
  d) West Rutherford
  e) Bolwarra

• Preferred Rural Residential Investigation Areas
  a) Greta
  b) Luskintyre Road
  c) Windella South
  d) Gillieston Heights North

3. Council support the deferral of investigations in the Thornton/Ashtonfield, Shamrock Hill and Louth Park Investigation Areas pending the preparation of the Lower Hunter Regional Strategy.

4. A further report be presented to Council on rural residential land and investigations in Maitland.

PROCEEDINGS IN BRIEF

A motion was moved that Items 1, 2 & 4 of the Officer’s Recommendation be adopted with the addition of a new Item 3 as follows:

3. (1) Council hold discussions with representatives of the Department of Infrastructure, Planning and Natural Resources regarding the deferral of investigations in the Ashtonfield and Bolwarra areas pending the finalisation of the Lower Hunter Regional Strategy, to:

   (a) outline the justification for including these areas in the Maitland Urban Settlement Strategy 2004, and

   (b) confirm the procedure for future planning investigations in these areas.

(2) A further report be presented to Council on this matter.

Moved Clr Humphery, seconded Clr Geoghegan
ORDINARY MEETING MINUTES 02 NOVEMBER, 2004

STRATEGIC PLANNING IN MAITLAND (Cont.)

COUNCIL RESOLUTION

THAT:

1. Council acknowledge the support from the Department of Infrastructure, Planning and Natural Resources for the Maitland Urban Settlement Strategy 2004.

2. Council note the delegation of functions under Section 65(1) and 69 of the Environmental Planning and Assessment Act 1979 to the General-Manager for the following investigation areas in the Maitland Urban Settlement Strategy 2004:

   - Category 1 Investigation Areas
     a) Thornton North
     b) Gillieston Heights
     c) Aberglasslyn
     d) West Rutherford
     e) Bolwarra
   - Preferred Rural Residential Investigation Areas
     a) Greta
     b) Luskintyre Road
     c) Windella South
     d) Gillieston Heights North

3. (1) Council hold discussions with representatives of the Department of Infrastructure, Planning and Natural Resources regarding the deferral of investigations in the Ashtonfield and Bolwarra areas pending the finalisation of the Lower Hunter Regional Strategy, to:

   (a) outline the justification for including these areas in the Maitland Urban Settlement Strategy 2004, and

   (b) confirm the procedure for future planning investigations in these areas.

(2) A further report be presented to Council on this matter.

4. A further report be presented to Council on rural residential land and investigations in Maitland.

Moved Clr Humphery, Seconded Clr Geoghegan

CARRIED
EXECUTIVE SUMMARY

The Area Assistance Scheme (AAS) is a regional community development program that provides grants to local councils, and non-government organisations for projects that improve community well being and how communities function.

Council participates in the AAS through Councillor participation on the Maitland Local Ranking Committee (LRC). The former Councillor, Mr Ted Leverence, has vacated this position.

This Report calls on Council for the nomination of a new Council LRC representative.

OFFICER’S RECOMMENDATION

THAT:

1. Council supports the aims and objectives of the Scheme

2. Council nominate one Councillor to serve on the Maitland Local Ranking Committee

COUNCIL RESOLUTION

THAT:

1. Council supports the aims and objectives of the Scheme

2. Council nominate Clr Power to serve on the Maitland Local Ranking Committee.

Moved Clr Woods, Seconded Clr Way

CARRIED
EXECUTIVE SUMMARY

This report presents to Council an initiative that involves patrons, partners and volunteers at Maitland Regional Art Gallery ensuring that the gallery attains a status and standing within the cultural industry and arts community throughout Australia. It also provides Council with opportunities to attract corporate and private sponsorship for the Cultural Precinct development.

OFFICER’S RECOMMENDATION

THAT:

1. Council support the Patrons, partners and volunteers program

2. An assessment panel consisting of the Mayor and a Councillor from each ward is established to assess the suitability of applicants to the program and make recommendations to the Council.

COUNCIL RESOLUTION

THAT:

1. Council support the Patrons, partners and volunteers program

2. An assessment panel consisting of the Mayor and the following Councillors from each ward, be established to assess the suitability of applicants to the program and make recommendations to the Council.

   East Ward – Clr Geoghegan
   West Ward – Clr White
   Central Ward – Clr Woods
   North Ward – Clr Procter

Moved Clr Geoghegan, Seconded Clr Way

CARRIED
EXECUTIVE SUMMARY

The Maitland Recreation & Open Space Strategy Review provides a clear vision and direction regarding the purpose, level of provision, development priorities and management of recreational open space areas in the Maitland local government area (LGA). A key recommendation from the review was to streamline management of public recreation facilities, including Oval Boards and the Sports Advisory Board. A number of recreation board representatives expressed interest in participating in this process and the approach outlined in this report encourages member involvement.

OFFICER’S RECOMMENDATION

THAT:

1. A Working Party be nominated that includes:

   • The Mayor (or his nominee)
   • A Councillor from each ward, who is also a Council nomination to a recreation board
   • One (1) representative from each of the following recreation boards:

      (a) Bolwarra/Largs Recreation Board
      (b) East Maitland Recreation Board
      (c) Lochinvar Recreation Board
      (d) Lorn Recreation Board
      (e) Maitland Recreation Board
      (f) Metford Recreation Board
      (g) Morpeth Recreation Board
      (h) Rutherford Recreation Board
      (i) Sportsground Recreation Board
      (j) Telarah Recreation Board
      (k) Tenambit Recreation Board
Recreation Facilities Review (Cont.)

(i) Thornton Recreation Board
(m) Woodberry Recreation Board

2. That a briefing session for Councillors be held prior to the final report.

COUNCIL RESOLUTION

THAT:

1. A Working Party be nominated that includes:
   - The Mayor (or his nominee)
   - A Councillor from each ward who is also a Council nomination to a recreation board:
     East Ward – Clr Garnham
     North Ward – Clr Keating
     Central Ward – Clr Woods
     West Ward – Clr Meskauskas
   - One (1) representative from each of the following recreation boards:
     a. Bolwarra/Largs Recreation Board
     b. East Maitland Recreation Board
     c. Lochinvar Recreation Board
     d. Lorn Recreation Board
     e. Maitland Recreation Board
     f. Metford Recreation Board
     g. Morpeth Recreation Board
     h. Rutherford Recreation Board
     i. Sportsground Recreation Board
     j. Telarah Recreation Board
     k. Tenambit Recreation Board
     l. Thornton Recreation Board
     m. Woodberry Recreation Board

2. That a briefing session for Councillors be held prior to the final report.

Moved Clr Geoghegan, Seconded Clr Garnham

CARRIED
10.3.9 USED TYRE COLLECTION FACILITY

File No: P28976

Responsible Officer: David Simm
Manager Environmental Programs

Author: Stuart Dayman
Snr. Environmental Health Officer

EXECUTIVE SUMMARY

Council has been approached over recent years in regard to the tipping of used tyres at the Mt. Vincent Waste Management Facility. To date tyres have not been accepted at the facility due to a number of factors not least of which were an intention by the State Government to implement programs to deal with the issue of used tyre disposal. To date this State Government initiative has not progressed to levels that have impacted on the number of tyres wanting to be disposed of at the landfill and has not decreased the numbers dumped on local tyre business premises out of hours or illegally across the LGA.

This report now seeks support to establish a tyre receive and storage facility at the Landfill. The facility would be for use by residents only for domestic quantities of tyres and not a point for commercial operators to off load large quantities of tyres. A tipping fee for each tyre will be charged to cover the cost of handling and pickup by a licensed recycler.

The operation of the facility will be carried out as part of the overall waste management facility and in line with development consent and Environmental Protection Licence conditions.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT:

1. Council support the establishment of a used tyre storage centre at the Mt. Vincent Waste Management facility.

2. Council agree to the exhibition of fees and charges as printed within the report pursuant to Section 610F of the Local Government Act 1993.

3. Subject to no objections being received, the fees be adopted and the used tyre centre be established as a matter of priority.

Moved Clr White, Seconded Clr Procter

CARRIED
EXECUTIVE SUMMARY

This report recommends a proposed location for the reinstatement of the Bolwarra War Memorial. Following a site meeting with Councillors and residents further investigation of the opportunities for locating the memorial in the vicinity of its existing location were investigated. Due to the site constraints it is not possible to locate the memorial at the intersection of Addison and Westbourne Roads without it being a hazard to traffic. The report recommends that the traffic island in front of Bolwarra School in Bolwarra Road be selected as the preferred site.

OFFICER’S RECOMMENDATION

THAT:

1. The traffic island in Bolwarra Road in front of Bolwarra Public School be identified as the preferred location for the reinstatement of the Bolwarra War Memorial

2. The reinstatement of the Bolwarra War Memorial be listed for consideration in Council’s 2005/06 budget at an estimated cost of $10,000

PROCEEDINGS IN BRIEF

A motion was moved that:

1. The Bolwarra War Memorial be located in the vicinity of the intersection of Westbourne Road and Addison Road, Bolwarra;

2. Discussion be held with adjoining landowners for potential land acquisition to facilitate an appropriate (off road) location;
Bolwarra War Memorial (Cont.)

3. A report come back to a future meeting of Council.

Moved Cllr Humphery, seconded Cllr Geoghegan

An amendment was moved that the Officer’s Recommendation be adopted.
Moved Cllr Way, seconded Cllr White
The amendment when put to the meeting was declared lost.
The motion was then put to the meeting and declared carried.

COUNCIL RESOLUTION

THAT:

1. The Bolwarra War Memorial be located in the vicinity of the intersection of Westbourne Road and Addison Road, Bolwarra;

2. Discussion be held with adjoining landowners for potential land acquisition to facilitate an appropriate (off road) location;

3. A report come back to a future meeting of Council.

Moved Cllr Humphery, seconded Cllr Geoghegan

CARRIED
10.3.11 MORPETH NEW YEAR’S EVE 2004 CELEBRATIONS - TEMPORARY ROAD CLOSURES

File No: 122/944/3

Responsible Officer: Brad Everett
Group Manager S P & R

Author: Ken Splatt
Traffic Officer

EXECUTIVE SUMMARY

Council has received an application from the Maitland New Years Eve Group to temporarily close some streets in Morpeth to vehicular traffic during the 2004 New Year’s Eve celebrations:

From 6pm Friday 31 December 2004 to 2.30am Saturday 1 January 2005

The proposed closure was advertised for public comment in the Maitland Mercury (in accordance with the requirements of the Roads Act, 1993) and was considered by the Local Traffic Committee for consideration.

This proposal is now referred to Council for final approval in accordance with the terms of the Delegation of Authority by the Roads and Traffic Authority in respect to temporary road closures.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council approval be given for the temporary closure of the following Morpeth streets:

- Swan Street - between Northumberland Street and Tank Street
- Berkley Street – between Swan Street and Close Street
- Green Street – between Swan Street and Close Street
- Queen’s Wharf Road

from 6pm Friday 31 December 2004 to 2.30am Saturday 1 January 2005, subject to the conditions set out by the Local Traffic Committee as detailed in the following report.

Moved Clr Geoghegan, Seconded Clr Way

CARRIED
10.3.12 OBJECTION TO PROPOSED STREET NAME - WEEMALA CLOSE, ABERGLASSLYN

File No: 122/904
Attachments: Correspondence from Council
Locations of Reserves
Responsible Officer: Chris James
Manager Assets & Infrastructure
Author: Cindy Dickson
Customer Service & Support Officer

EXECUTIVE SUMMARY

The purpose of this report is to seek the approval of Council for the street name Weemala Close, Aberglasslyn.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT:

1. That the street name Weemala Close, Aberglasslyn be approved as per guidelines from the Geographical Naming Board and Maitland City Councils Road Naming Policy.

2. That Lot 142 DP1064493 on the corner of Birch Grove and Denton Park Drive, Aberglasslyn be named the John Buffier Reserve, and that a plaque to be funded from within an existing Council budget be placed in the reserve.

Moved Clr White, seconded Clr Keating

CARRIED
10.3.13 PLAN OF MANAGEMENT - SOMERSET PARK

File No: DA 00-1359

Attachments: Draft Plan of Management No 2

Responsible Officer: Leanne Harris
Manager Corporate Planning

Author: Deb Gordon
Town Planner

EXECUTIVE SUMMARY

This report informs the Council of the impending dedication of open space within Somerset Park and the management responsibilities associated with it. A Plan of Management has been prepared to address the relevant management issues and Council’s obligations in maintaining the land. Council’s support is requested to publicly exhibit and seek comments from the community on the draft Plan.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council resolve to exhibit the draft Plan of Management for Somerset Park Reserves, as detailed in this report.

Moved Clr Geoghegan, Seconded Clr Way

CARRIED
11 NOTICE OF MOTION/RESCISSION

Nil

12 QUESTIONS WITHOUT NOTICE

12.1 SHOP AWNINGS – FILE NOS 21/4 & 35/7/2

Clr Way enquired as to shop awnings in light of what has happened in Gosford and Muswellbrook areas with collapsed awnings.

The Group Manager Service Planning and Regulation advised that awnings are checked on a regular basis and owners notified of any defects.

12.2 RAYMOND TERRACE ROAD – HUNTINGDALE PROPERTY – FILE NOS 222/490 & 35/7/2

Clr Procter enquired as to the amount of fill on Huntingdale's property on Raymond Terrace Road, East Maitland.

The Group Manager Service Planning and Regulation advised that there is an approval and that discussions have been held with the contractor to ensure certification as well as key issues for traffic management.

12.3 THIRD RIVER CROSSING – FILE NOS 122/940 & 35/7/2

Clr Humphery enquired as to the status of the Third River Crossing.

The Group Manager Service Planning and Regulation advised that the RTA have indicated that they will be sending further advice in the near future.

12.4 SISTER OF MERCY GARDENS – FILE NO 35/7/2

Clr Fairweather commented on the amount of rubbish at the Sister of Mercy Gardens between Maitland and East Maitland.

The Group Manager Service Planning and Regulation advised that the matter is to be investigated and necessary action taken on matters of non-compliance.

12.5 CHRISTMAS BREAK – MATTERS OF URGENCY – FILE NOS 35/7 & 35/7/2

Clr Fairweather asked if the Council Meetings for January could be 2 meetings for the month of January.

The Mayor advised that there will be a report coming back to Council on this matter.
12.6 RUTHERFORD SHOPPING CENTRE

Clr Meskauskas enquired as to the status of the Rutherford Shopping Centre.

The Mayor advised that a copy of a Press Release by Buildev would be faxed to all Councillors and a report will be presented by the Executive Manager Economic Development & Marketing.

13 URGENT BUSINESS

Nil
14 COMMITTEE OF THE WHOLE

14.1 CONSIDERATION OF TENDERS - WATERMAIN RELOCATION - HIGH STREET, EAST MAITLAND

File No: 137/1018

Responsible Officer: Richard Minter
Manager - Consulting & Contracts

Author: Alex Rush
Design Engineer

EXECUTIVE SUMMARY

High Street between Brisbane Street and the New England Highway is included in the 2004-2005 Major Construction Works (ULR) Program. As part of these works a watermain is to be relocated clear of the road pavement. Tenders for the relocation are submitted for Council’s consideration and determination. This report is submitted to 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:

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

Moved Clr Humphery, Seconded Clr Way

CARRIED
15 CONSIDERATION OF ITEMS FROM COMMITTEE OF THE WHOLE

15.1 CONSIDERATION OF TENDERS - WATERMAIN RELOCATION - HIGH STREET, EAST MAITLAND

File No: 137/1018

Responsible Officer: Richard Minter
Manager - Consulting & Contracts

Author: Alex Rush
Design Engineer

EXECUTIVE SUMMARY

High Street between Brisbane Street and the New England Highway is included in the 2004-2005 Major Construction Works (ULR) Program. As part of these works a watermain is to be relocated clear of the road pavement. Tenders for the relocation are submitted for Council’s consideration and determination. This report is submitted to Committee of the Whole as it contains confidential commercial information.

COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION

THAT:

1. Council accept the tender of H L Mullane & Son Pty Ltd in the amount of $175,807.50 (GST inclusive).

2. The Common Seal of Council be affixed to the contract documents.

Moved Clr Way, Seconded Clr Procter
CARRIED

16 CLOSURE

The meeting was declared closed at 7.57 pm.

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Acting General Manager Chairperson