

ORDINARY MEETING

MINUTES

23 APRIL 2019

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PRESENT

Cr Robert Aitchison
Cr Loretta Baker, Mayor
Cr Donald Ferris
Cr Peter Garnham
Cr Mitchell Griffin
Cr Sally Halliday
Cr Nicole Penfold
Cr Kanchan Ranadive
Cr Ben Whiting
Cr Mike Yarrington

1 INVOCATION

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

2 ACKNOWLEDGEMENT OF COUNTRY

Cr N Penfold read the Acknowledgement of Country.

3 APOLOGIES AND LEAVE OF ABSENCE

COUNCIL RESOLUTION

THAT the apologies received for Cr B Mitchell, Cr P Penfold and Cr H Meskauskas be accepted and leave of absence granted.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

4 DECLARATIONS OF INTEREST

Nil.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 9 April 2019 be confirmed.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

6 BUSINESS ARISING FROM MINUTES

Nil.

7 MAYORAL MINUTE

Nil.

8 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

Nil.

9 PUBLIC ACCESS

Nil.

10 OFFICERS REPORTS

10.1 2019 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

FILE NO:	35/48
ATTACHMENTS:	1. National General Assembly 2019 Program
RESPONSIBLE OFFICER:	David Evans - General Manager
AUTHOR:	Jacqui Fitzsimmons - Executive Assistant
MAITLAND +10	Outcome 15. Diverse, identified and connected leaders
COUNCIL OBJECTIVE:	15.3.1 To identify new methods and opportunities for talking to the community, building on the existing profile and methods used by the elected Council

EXECUTIVE SUMMARY

The 2019 National General Assembly of Local Government will be held from Sunday 16 to Wednesday 19 June 2019 at the National Convention Centre in Canberra. This is an opportunity for councils to identify and discuss national issues of priority for the sector and to agree on possible steps which might be taken to address these issues.

OFFICER'S RECOMMENDATION

THAT

1. Council nominate interested Councillor/s to attend.

COUNCIL RESOLUTION

THAT

Council nominate Councillors L Baker, R Aitchison, D Ferris, B Whiting to attend the National General Assembly 2019 conference in Canberra.

Moved Cr B Whiting, Seconded Cr R Aitchison

CARRIED

10.2 OUTCOME OF THE EXPRESSION OF INTEREST FOR THE ABORIGINAL REFERENCE GROUP

FILE NO:	29/22
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Bernie Mortomore - Group Manager Planning, Environment & Lifestyle Laurie D'Angelo - Manager Community and Recreation Emily Livens - Coordinator Recreation & Community Planning
AUTHOR:	April Phillips - Community Planner
MAITLAND +10	Outcome 1. Sense of place and pride
COUNCIL OBJECTIVE:	1.3.1 To develop and support cultural identity, pride, self esteem and participation for our local Aboriginal and Torres Strait Islander communities

EXECUTIVE SUMMARY

An expression of interest process to establish the Aboriginal Reference Group of five to seven members was undertaken from 14 November 2018 until 30 January 2019.

A total of 13 applications were received including four individual applications, seven stakeholder applications and two dual individual/stakeholder applications.

An assessment panel of two Council Officers and the two nominated Councillors assessed the applications based on the selection criteria matrix tool which ensured diverse representation for the group.

The assessment panel recommends that the seven people detailed in this report are recruited for representation on the Aboriginal Reference Group.

OFFICER'S RECOMMENDATION

THAT

- 1. Council adopts the recommendations for individual and stakeholder representatives on the Aboriginal Reference Group detailed in this report.**

COUNCIL RESOLUTION

THAT

- 1. Council adopts the recommendations for individual and stakeholder representatives on the Aboriginal Reference Group detailed in this report.**

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

10.3 NATIONAL DISABILITY INSURANCE SCHEME (NDIS) SUPPORT COORDINATION

FILE NO:	29/26
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Bernie Mortomore - Group Manager Planning, Environment & Lifestyle Laurie D'Angelo - Manager Community and Recreation
AUTHOR:	Emily Livens - Coordinator Recreation & Community Planning
MAITLAND +10	Outcome 2. Community and recreation services and facilities
COUNCIL OBJECTIVE:	2.5.1 To deliver quality community development, social planning and community services

EXECUTIVE SUMMARY

Council has been providing complex case coordination through the Maitland Community Options Project for the past 20 years. During this time there has been significant change in how support services are funded and managed by the State and Commonwealth governments including the introduction of NDIS. An independent review of Council's Community Options Project recommended the separation of the service delivery and financial management of the now two programs being the Commonwealth Home Support Programme and NDIS Support Coordination.

Although the Commonwealth Home Support Programme is progressing well under the new management structure, many difficulties are being experienced in the NDIS Support Coordination. These include inadequate self-funding of the program and unexpected Council funding allocation requirements, recruitment difficulties due to skill shortages in the market and reductions in the allocated support coordination hours in client NDIS plans. These challenges have impacted on client satisfaction with the service. In addition, the introduction of NDIS Quality and Safeguarding Commission will require the program to undertake an independent audit. In its current state, the program is not resourced to ensure compliance.

Considering these challenges with the ongoing management of the NDIS Support Coordination program, it is recommended that Council transition out of NDIS Support Coordination and provide an interim resource to assist clients transition to an alternative service provider during this period.

OFFICER'S RECOMMENDATION

THAT

1. Council transitions out of its voluntary involvement of the NDIS Support Coordination program
2. Council provides existing clients with a support resource for up to three months to assist clients to transition to an alternative service provider during this period.

COUNCIL RESOLUTION

THAT

1. Council transitions out of its voluntary involvement of the NDIS Support Coordination program
2. Council provides existing clients with a support resource for up to three months to assist clients to transition to an alternative service provider during this period.

Moved Cr R Aitchison, Seconded Cr B Whiting

CARRIED

10.4 BUILDING FIRE SAFETY

FILE NO:	20/21, Parcel No's 38994, 39103, 17480, 17321, 14682, 13177 & 17310
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Bernie Mortomore - Group Manager Planning, Environment & Lifestyle David Simm - Manager Development & Environment
AUTHOR:	Ian Cunningham - Team Leader, Regulatory Compliance
MAITLAND +10	Outcome 11. Our villages, suburbs, towns and City
COUNCIL OBJECTIVE:	11.1.2 To strengthen activity centres as vibrant areas for residents, workers and visitors

EXECUTIVE SUMMARY

Council is in receipt of reports from Fire & Rescue NSW (FRNSW) in respect of inspections performed by FRNSW on various buildings within the Maitland Local Government Area. The reports have revealed building fire safety issues within those buildings.

In accordance with the provisions of Schedule 5, Part 8, Section 17(2) of the Environmental Planning & Assessment Act 1979, (the Act), the reports received by Council from FRNSW must be tabled at a Council meeting for the Council to determine whether it will exercise its powers to give a fire safety order under the provisions of the Act.

OFFICER'S RECOMMENDATION

THAT

- 1. The Council exercise its powers under the provisions of Schedule 5, Part 2 (1) of the Environmental Planning & Assessment Act 1979 and serve orders on the owners of the buildings identified in the body of this report (numbered 2-7) to facilitate fire safety audits of those buildings, and that,**
- 2. On receipt and analysis of the fire safety audits, a further report be submitted to the Council recommending further actions as deemed necessary to ensure adequate fire safety measures are implemented in the identified buildings, and that,**
- 3. Council write to FRNSW and request that any future inspections of buildings conducted by FRNSW within the Maitland local government area be in the company of an appropriate Council officer.**

COUNCIL RESOLUTION

THAT

- 1. The Council exercise its powers under the provisions of Schedule 5, Part 2 (1) of the Environmental Planning & Assessment Act 1979 and serve orders on the owners of the buildings identified in the body of this report (numbered 2-7) to facilitate fire safety audits of those buildings, and that,**
- 2. On receipt and analysis of the fire safety audits, a further report be submitted to the Council recommending further actions as deemed necessary to ensure adequate fire safety measures are implemented in the identified buildings, and that,**
- 3. Council write to FRNSW and request that any future inspections of buildings conducted by FRNSW within the Maitland local government area be in the company of an appropriate Council officer.**

Moved Cr M Griffin, Seconded Cr K Ranadive

CARRIED

Council moved into Policy & Finance Committee at 5.42 pm

Moved Cr R Aitchison, Seconded Cr B Whiting

CARRIED

11 POLICY AND FINANCE COMMITTEE

11.1 STATEMENT OF INVESTMENTS AS AT 31 MARCH 2019

FILE NO:	82/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Emily Lasky - Compliance Accountant Dinesh Pillay - Senior Reporting, Risk & Insurance Accountant
MAITLAND +10	Outcome 18. A Council for now and future generations
COUNCIL OBJECTIVE:	18.1.1 To ensure the principles of sustainability underpin Council's financial, economic, social, governance and environmental decision-making

EXECUTIVE SUMMARY

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

OFFICER'S RECOMMENDATION

THAT

1. The report indicating Council's Funds Management position as at 31 March 2019 be received and noted.
2. The certification of the Responsible Accounting Officer be noted and the report adopted.

COMMITTEE RECOMMENDATION

THAT

1. The report indicating Council's Funds Management position as at 31 March 2019 be received and noted.
2. The certification of the Responsible Accounting Officer be noted and the report adopted.

Moved Cr K Ranadive, Seconded Cr B Whiting

CARRIED

Council resumed into Ordinary Council at 5.43 pm.

Moved Cr Griffin, Seconded Cr Aitchison

CARRIED

The following recommendations made whilst Council was in Policy & Finance Committee were read to the meeting by the General Manager.

11.1 STATEMENT OF INVESTMENTS AS AT 31 MARCH 2019

COMMITTEE RECOMMENDATION

THAT

- 1. The report indicating Council's Funds Management position as at 31 March 2019 be received and noted.**
- 2. The certification of the Responsible Accounting Officer be noted and the report adopted.**

Moved Cr K Ranadive, Seconded Cr B Whiting

CARRIED

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

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

12 NOTICES OF MOTION/RESCISSION

Nil.

13 QUESTIONS WITH NOTICE

13.1 FUNDING FOR MAITLAND LIBRARY FLOORSPACE

SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/4
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: David Evans - General Manager
Bernie Mortomore - Group Manager Planning,
Environment & Lifestyle

Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on Tuesday 23 April 2019:

Can Council advise how much funding is currently accrued towards city wide library floor space from contributions made as part of Section 7.11 contributions.

RESPONSE BY GROUP MANAGER PLANNING, ENVIRONMENT & LIFESTYLE

Both the 2006 (repealed) and the 2016 City Wide Section 94 Plans collect funds for the provision of library floor space across the LGA. Following is a breakdown of the funds collected and available in each of the plans:

- 2006 City Wide Section 94 Contributions Plan (Repealed) - \$1,254,519
- 2016 City Wide Section 94 Contributions Plan - \$683,231

In accordance with the 2006 City Wide Plan – the funds collected are to be used for a mixture of upgrades and augmentation of the existing branch libraries and through a new and expanded central library facility in the CBD.

In accordance with the 2016 City Wide Plan – the funds collected are to be used to increase floor space at Maitland, Rutherford and Thornton Branch Libraries.

14 URGENT BUSINESS

Nil.

15 COMMITTEE OF THE WHOLE

Nil.

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

17 CLOSURE

The meeting was declared closed at 5.43 pm.

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Chairperson