

**ORDINARY MEETING**

**MINUTES**

**25 JUNE 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 Henry Meskauskas  
Cr Ben Mitchell  
Cr Nicole Penfold  
Cr Philip Penfold  
Cr Kanchan Ranadive  
Cr Ben Whiting  
Cr Mike Yarrington

## **1 INVOCATION**

Pastor Scott Willmot read the customary prayer at the commencement of the meeting.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

Cr K Ranadive read the Acknowledgement of Country.

## **3 APOLOGIES AND LEAVE OF ABSENCE**

Nil

## **4 DECLARATIONS OF INTEREST**

Nil

## **5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 11 June 2019 be confirmed.

**Moved Cr M Griffin, Seconded Cr B Whiting**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	

Cr D Ferris  
Cr P Garnham  
Cr M Griffin  
Cr S Halliday  
Cr H Meskauskas  
Cr B Mitchell  
Cr N Penfold  
Cr P Penfold  
Cr K Ranadive  
Cr B Whiting  
Cr M Yarrington

**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

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## 10 OFFICERS REPORTS

### 10.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2019

<b>FILE NO:</b>	<b>35/65</b>
<b>ATTACHMENTS:</b>	<b>1. LGNSW Annual Conference Motion Submission Guideline</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Leah Flint - Group Manager Strategy Performance and Business Systems</b>
<b>AUTHOR:</b>	<b>Louise Rampling - Senior Governance Officer</b>
<b>MAITLAND +10</b>	<b>Outcome 17. An efficient and effective Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>17.3.2 To optimise collaboration with other regional councils to maximise service provision and benefits to Council and the Hunter Region</b>

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#### EXECUTIVE SUMMARY

*The Local Government NSW (LGNSW) Annual Conference 2019 will be held from 14 to 16 October 2019 at Warwick Farm. This report is presented to Council to facilitate conference attendance by representatives of Council, and to determine voting delegates of Council for the purpose of voting on motions presented to the conference.*

#### OFFICER'S RECOMMENDATION

##### THAT

- 1. Councillors wishing to attend the conference nominate for endorsement by Council;**
- 2. Council nominate four (4) attending Councillors as voting delegates on motions and in Board elections at the conference; and**
- 3. The names of Council's voting delegates be forwarded to LGNSW by 20 September 2019.**

#### COUNCIL RESOLUTION

##### THAT

- 1. Councillors wishing to attend the conference nominate for endorsement by Council;**
- 2. Council nominate Cr P Penfold, Cr M Griffin & Cr S Halliday as voting delegates on motions and in Board elections at the conference; and**

**3. The names of Council's voting delegates be forwarded to LGNSW by 20 September 2019.**

**Moved Cr P Penfold, Seconded Cr P Garnham**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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## 10.2 TEMPORARY ROAD CLOSURES HIGH STREET 'THE LEVEE' MAITLAND FOR MX NATIONALS STREET EATS 12 JULY 2019

<b>FILE NO:</b>	140/5
<b>ATTACHMENTS:</b>	1. Traffic Control Plan
<b>RESPONSIBLE OFFICER:</b>	Chris James - Group Manager Infrastructure & Works Kevin Stein - Manager Engineering & Design Scott Henderson - Coordinator Infrastructure Planning Engineering
<b>AUTHOR:</b>	Alison Marshall - Road Safety Officer
<b>MAITLAND +10</b>	Outcome 3. Community and iconic events
<b>COUNCIL OBJECTIVE:</b>	3.1.2 To support the delivery of vibrant and unique community festivals and events

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### EXECUTIVE SUMMARY

*Council is planning to conduct the 'Street Eats MX Nationals' event in The Levee, High Street, Maitland from 5.00pm to 9.00pm Friday 12 July 2019. This event will coincide with Round 7 of the Pirelli MX Nationals Australian Motocross Championship being held in Maitland on Sunday 14 July 2019.*

*'Street Eats MX Nationals' is a family friendly night time activation of the city streets and will involve food trucks, race team truck displays, rider interviews and live music bringing both locals and visitors for the motocross championships into the city centre.*

*To safely facilitate this event Council's Place Activation Team proposes to temporarily close The Levee, High Street from Bourke Street to Elgin Street, and part of Bulwer Street Maitland.*

### OFFICER'S RECOMMENDATION

#### THAT

- 1) The following roads be temporarily closed to vehicular traffic for the 'Street Eats MX Nationals Edition' from 3.00pm to 10.00pm Friday 12 July 2019:
  - . High Street - between Bourke Street and Elgin Street
  - . Bulwer Street - between Dransfield Lane and High Street.
- 2) The installation of regulatory road closure devices and signs to effect the proposed road closures also be approved.

### COUNCIL RESOLUTION

#### THAT

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**1) The following roads be temporarily closed to vehicular traffic for the 'Street Eats MX Nationals Edition' from 3.00pm to 10.00pm Friday 12 July 2019:**

- . **High Street - between Bourke Street and Elgin Street**
- . **Bulwer Street - between Dransfield Lane and High Street.**

**2) The installation of regulatory road closure devices and signs to effect the proposed road closures also be approved.**

**Moved Cr M Griffin, Seconded Cr S Halliday**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

<b>For:</b>	<b>Cr R Aitchison</b>	<b>Against:</b>
	<b>Cr L Baker</b>	
	<b>Cr D Ferris</b>	
	<b>Cr P Garnham</b>	
	<b>Cr M Griffin</b>	
	<b>Cr S Halliday</b>	
	<b>Cr H Meskauskas</b>	
	<b>Cr B Mitchell</b>	
	<b>Cr N Penfold</b>	
	<b>Cr P Penfold</b>	
	<b>Cr K Ranadive</b>	
	<b>Cr B Whiting</b>	
	<b>Cr M Yarrington</b>	

**10.3 DA 19/279 CHANGE OF USE - DWELLING TO HEALTH CARE FACILITY  
(HEALTH CONSULTING ROOMS) - LOT 8 DP13665, 55A BRUNSWICK  
STREET, EAST MAITLAND  
RECOMMENDATION: APPROVAL**

<b>FILE NO:</b>	DA 19/279
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Locality Plan</li> <li>2. Development Plans (under separate cover)</li> <li>3. Submissions</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	<p>Bernie Mortomore - Group Manager Planning, Environment &amp; Lifestyle David Simm - Manager Development &amp; Environment Leanne Harris - Development Assessment Coordinator</p>
<b>AUTHOR:</b>	Tegan Harris - Senior Town Planner
<b>APPLICANT:</b>	Perception Planning
<b>OWNER:</b>	Swapna Hashinie Sivathasan
<b>PROPOSAL:</b>	Change of Use - Dwelling to Health Care Facility (Health Consulting Rooms)
<b>LOCATION:</b>	55A Brunswick Street, East Maitland
<b>ZONE:</b>	R1 General Residential

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**EXECUTIVE SUMMARY**

*The proposal (Development Application No. DA 2019/279) seeks consent for a Change of Use from a Dwelling to Health Care Facility (Health Consulting Rooms) at Lot 8 DP13665, 55A Brunswick Street East Maitland NSW 2323. The subject site is zoned R1 General Residential pursuant to the Maitland Local Environmental Plan (LEP) 2011 and the proposed use is permissible within the zone.*

*The assessment provides consideration of the proposal under the Environmental Planning and Assessment Act 1979 (NSW), the Maitland Local Environmental Plan 2011, the Maitland Development Control Plan 2011 and any other relevant legislation, guidelines and policies of the Council. The proposal is compliant with the relevant policy framework and will not result in an unreasonable environmental impact within the locality.*

*The proposal is being reported to Council due to the receipt of three (3) submissions during the advertising and notification period. The issues raised relate to:*

- *Appropriateness of the use;*
- *Appropriateness of the site and existing dwelling;*
- *Car parking;*
- *Landscaping;*

- *Operational detail; and*
- *Impact to adjoining heritage item (55 Brunswick Street).*

*The issues raised have been addressed to the satisfaction of Council.*

*An assessment of the application has been undertaken against Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 as amended. The proposed development is considered acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.*

#### **OFFICER'S RECOMMENDATION**

**THAT the proposal (DA 19/176) for a Change of Use from a Dwelling to Health Care Facility (Health Consulting Rooms) at 55A Brunswick Street, East Maitland be approved subject to the conditions in the attached schedule.**

#### **COUNCIL RESOLUTION**

**THAT the proposal (DA 19/176) for a Change of Use from a Dwelling to Health Care Facility (Health Consulting Rooms) at 55A Brunswick Street, East Maitland be approved subject to the conditions in the attached schedule.**

+

**Moved Cr P Garnham, Seconded Cr R Aitchison**

**CARRIED**

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

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## Schedule of Conditions DA19/0279

### Reason for Conditions

The following conditions are applied to:

- Confirm and clarify the terms of Council's Approval;
- Identify minor modifications and additional requirements that will result in improved compliance, development and environmental outcomes; and
- Draw to the attention of the applicant and owner their responsibility to comply with the requirements of various legislation including but not limited to the Environmental Planning and Assessment Act, 1979, Local Government Act 1993; relevant Regulations; Building Code of Australia, Australian Standards and Local Policies relating to development works, building construction and protection and enhancement of public health and the environment.

### APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Plan Ref No.	Sheet No.	Revn No.	Revision Date	Prepared by: (consultant)
Change of Use	A.001	D	4/06/2019	JT Studio
Change of Use*	A.001	C	15/05/2019	JT Studio
Change of Use	A.002 to A.007	A	1/03/2019	JT Studio
55A Brunswick Street, East Maitland	180124-DA	-	February 2019	Green Space Planning Co.
Stormwater Management Plan (190123)	SWD01	B	27.05.19	DRB Consulting Engineers

\*For the purposes of Hunter Water stamp only.

### CERTIFICATES

2. The applicant shall submit to Council a "Notice of Commencement" form at least two (2) days prior to the commencement of construction works.
3. **Prior to the commencement of works** an application for a Construction Certificate shall be submitted to, and be approved by, the Accredited Certifier.

4. **Prior to the issue of an Occupation Certificate** all conditions of development consent shall be complied with.
5. **Prior to occupation** of the building an Occupation Certificate shall be issued by the Principal Certifying Authority.
6. **Prior to issue of the Construction Certificate**, a Compliance Certificate under Section 50 of the Hunter Water Act 1991 for this development, shall be submitted to the Accredited Certifier.

#### LANDSCAPING

7. All landscaped areas of the development shall be maintained in accordance with the approved landscape plan. The landscaped areas shall be kept free of parked vehicles, stored goods, waste material, and the like.
8. **Prior to the issue of the Occupation Certificate**, additional landscaping comprising a Lilly Pilly (*Syzygium austral 'Resilience'*) hedge, or similar, shall be planted in the 505mm setback from the driveway adjacent to the western boundary.
9. The proposal shall comply with the recommendations of the Arborist Report titled 55A Brunswick Street, East Maitland, prepared by Joseph Pidutti Consulting Arborist dated 4 February 2019. +

#### FENCING

10. **Prior to the issue of the Construction Certificate**, details of the privacy screen on the western boundary shall be submitted to, and approved by Council. The privacy screen shall be installed **prior to the issue of the Occupation Certificate**.

#### ACCESSIBILITY

11. The proposal shall comply with the recommendations of the Disability Access Report titled Change of Use Residence to Consulting Rooms, prepared by Lindsay Perry Access dated 2 May 2019.

#### HOURS OF OPERATION

12. The hours of operation of the activity shall be confined to within the following times:  
Monday to Friday - 8:00am to 6:00pm; and

Saturday, Sunday & Public Holidays – Closed.

### CARPARKING

13. Car parking for the development shall be provided in accordance with the approved site plan (A.001, Revision D, dated 4/06/2019), with a minimum allocation for the development of six (6) spaces including one (1) accessible space.
14. All driveways, parking areas and vehicles turning areas outside of the Tree Protection Zone shall be constructed with a segmental paver surface (on a concrete sub-base), or as reinforced concrete. All driveways, parking areas and vehicles turning areas within the Tree Protection Zone shall be constructed from a permeable/porous material in accordance with the recommendations of the Arborist Report titled 55A Brunswick Street, East Maitland, prepared by Joseph Pidutti Consulting Arborist dated 4 February 2019.
15. All parking bays shall be delineated with line-marking and/or signposting.

### VEHICLE ACCESS

16. **Prior to commencement of construction** of the driveway crossing on the public footway verge, the works shall have been approved by Council. An application form, *"Application to Construct Private Works on Footway"* shall be submitted to Council, together with the appropriate fee (for each driveway).
17. **Prior to issue of the Occupation Certificate** the driveway layout and profile shall be constructed in concrete (heavy duty), in accordance with Council's Manual of Engineering Standards, which include the retention of (or if damaged reconstruction as plain concrete of) any existing footpath, and with reference to Council's information document *"Footway Crossings (Driveways)"*.

### STORMWATER DRAINAGE

18. **Prior to issue of the Construction Certificate**, the construction details in accordance with Council's Manual of Engineering Standards shall be provided for the following stormwater requirements:
  - a) On-Site Detention (OSD) for the 1% event and strictly in accordance with **Project Reference 190123 Drawing SWD01 revision B dated 27-5-2019 by DRB Consulting Engineers**, and
  - b) Detailed pavement finished surface levels demonstrating 1% conveyance paths to, and 1% inlet capacity into the OSD tank/structure, and

- c) an emergency overland flow path for major storm events, that is directed to the public drainage system, and
  - d) conveyance where necessary, of stormwater through the site from upstream catchments, (including roads and adjoining properties).
19. Prior to issue of the **Occupation Certificate**, the stormwater-control system shall be constructed in accordance with the approved stormwater drainage plan. A qualified engineer shall supply written certification to the PCA and Council that the constructed system including detention volume and discharge rates achieve the consent requirements for detention.

## EROSION CONTROLS

20. The property shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind or “vehicle tracking”.

## BUILDING CONSTRUCTION

21. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
22. All excavations and backfilling shall be executed safely, in accordance with appropriate professional standards and shall be properly guarded and protected to prevent the works from being dangerous to life or property.
23. Unless otherwise approved by Council in writing, all general building work shall be carried out between the hours of:
- a. 7.00am to 6.00pm Monday to Friday
  - b. 7.00am to 5.00pm Saturday

Any work performed on Sunday's or Public Holidays that may cause offensive noise, as defined under the Protection of the Environment Operations Act, is prohibited. Minor works (such as hand sanding, painting, digging and the like) is permitted between the hours of 9.00am to 5.00pm. Power operated tools are not permitted to be used.

## SERVICES & EQUIPMENT

24. For the purposes of clause 94 of the *Environmental Planning and Assessment Regulation 2000*, **prior to issue of an Occupation Certificate** portable fire extinguishers shall be installed within the building in accordance with clause E1.6 (Volume 1) of the Building Code of Australia 2016 and Australian Standard 2444.
25. All new materials used in the building shall comply with Clause C1.10 (Volume 1) of the Building Code of Australia 2016.
26. For the purposes of clause 94 of the *Environmental Planning and Assessment Regulation 2000*, **prior to issue of an Occupation Certificate**, all secondary door hardware such as barrel bolts, chains, padlocks, etc. must be removed from all doors in a required exit, forming part of a required exit or in a path of travel to a required exit.
27. For the purposes of clause 94 of the *Environmental Planning and Assessment Regulation 2000*, **prior to issue of an Occupation Certificate** all latches on doors in a required exit, forming part of a required exit or in a path of travel to a required exit shall have latches installed that comply with Clause D2.21, *Operation of latch* of the Building Code of Australia 2016.
28. For the purposes of clause 94 of the *Environmental Planning and Assessment Regulation 2000*, **prior to issue of an Occupation Certificate**, the existing exit door shall be fitted with a device to hold open the door when it is an open position.

## SITE CONSIDERATIONS

29. 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 the building.

Where a retaining wall is planned for this purpose and such wall requires consent (refer to State Environmental Planning Policy -Exempt and Complying Development Codes, 2008) plans and specifications of the wall shall be approved by Council and/or an accredited certifier.

*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 proposed retaining walls, including any excavation, footings, drainage and backfill shall be contained within the property boundaries. Retaining walls and



associated earthworks shall not impede or redirect the natural flow of surface water from adjoining properties in a manner that creates nuisance.

30. If an excavation extends below the level of the base of the footings of a building/structure on an adjoining allotment of land, the person causing the excavation to be made.
- i) Must preserve and protect the building/structure from damage, and
  - ii) If necessary, must underpin and support the building/structure in an approved manner, and
  - iii) Must, at least 7 days before excavating below the level of the base of the footings of a building/structure 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/structure 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).

31. 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.

32. If the work:

- i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- ii) involves the enclosure of a public place

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

33. A sign must be erected in a prominent position on the work:

- 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.

*Note: 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.*
34. Approved toilet facilities are to be provided, at or in the vicinity of the work site 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.
35. The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.
36. No building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.
37. Suitable and adequate measures are to be applied to restrict public access to the site and building works, materials and equipment.

#### ADVICES

*The following advice is limited in scope and should not be understood to encompass all areas of responsibility of the consent holder, relating to the development.*

- A** You are advised that where underground works within the road reserve are required for necessary for supply of services (such as water, sewer, electricity, gas), further consent for a "Road Opening" must be obtained from Council.
- Refer to Council's form: "*Application for Registration to Open Roads/Footpaths*".
- B** You are advised that in regard to potential soil erosion from the construction site, such pollution of the environment is an offence under the Protection of the Environment & Operations (POEO) Act and may incur infringement fines.
- C** You (or the owner) are advised to notify Council in writing, of any existing damage to the street infrastructure (including landscaping) along the frontage of the property, prior to commencement of construction. The absence of such notification signifies that no damage exists. Where necessary repairs are carried out by Council, the owner of the property shall be held liable for the cost of those repairs.

- D You are advised that there may be design matters in relation to the drainage *concept* plan that warrant further attention prior to the issue of the Construction Certificate.
- E You are advised that, prior to pouring of internal concrete driveways and kerbs, which act as surface depression storage for the stormwater detention, (and/or surfaces which divert runoff to those storage areas), levels should be confirmed, by survey, on formwork and control marks.
- F You are advised that further consent for a driveway across the footway verge must be obtained. *Inspections* of works (eg formwork & reinforcement MUST be carried out by Council. (See Council's "*Application To Construct Private Works On Footway*"). You should contact Council (ph. 49 34 9700), giving at least 24 hours notice for inspections.
- G You are advised that the issue of this development consent does not amount to a release, variation or modification by Council of any covenant or easement applicable to this property and that Council will not be held responsible when action on this consent results in any loss or damage by way of breach of matters relating to title of the property.
- H You are advised that compliance with the requirements of the Disability Discrimination Act, (DDA) applies to works on this site. It should be noted that compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA.
- I You are advised that any proposed advertising signs are subject to a separate Development Application to Council.

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## 10.4 INCREASE TO COMPANION ANIMAL REGISTRATION FEES

<b>FILE NO:</b>	<b>35/33/18/9</b>
<b>ATTACHMENTS:</b>	<b>Nil</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Bernie Mortomore - Group Manager Planning, Environment &amp; Lifestyle David Simm - Manager Development &amp; Environment</b>
<b>AUTHOR:</b>	<b>Leanne Harris - Development Assessment Coordinator</b>
<b>MAITLAND +10</b>	<b>Outcome 17. An efficient and effective Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>17.1.1 To see Council's integrated planning and reporting recognised by the community, Council and the NSW State Government</b>

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### MEXECUTIVE SUMMARY

*Council has just been advised that from 1 July 2019 cat and dog lifetime registration fees will increase as required by the Companion Animals Regulation 2018. These changes will require a minor amendment to the recently adopted 2019/2020 Fees and Charges*

### OFFICER'S RECOMMENDATION

#### THAT

1. The 2019/2020 adopted Fees and Charges be amended to reflect the increased companion animal registration fees as set out in this report.

### COUNCIL RESOLUTION

#### THAT

1. The 2019/2020 adopted Fees and Charges be amended to reflect the increased companion animal registration fees as set out in this report.

Moved Cr M Griffin, Seconded Cr B Whiting

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	

Cr M Griffin  
Cr S Halliday  
Cr H Meskauskas  
Cr B Mitchell  
Cr N Penfold  
Cr P Penfold  
Cr K Ranadive  
Cr B Whiting  
Cr M Yarrington

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## 10.5 SECTION 356 COMMUNITY GRANTS REVIEW

<b>FILE NO:</b>	10/5/18
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Section 356 Community Grants Policy 2019</li> <li>2. Section 356 Annual Community Grants Program Guidelines &amp; Application</li> <li>3. Section 356 Commemorative &amp; Recognised Days Program Guidelines &amp; Application 2019</li> <li>4. Section 356 High Achievers Program - Creative Arts Guidelines &amp; Application 2019</li> <li>5. Section 356 High Achievers Program - Sports Guidelines &amp; Application 2019</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	<p>Bernie Mortomore - Group Manager Planning, Environment &amp; Lifestyle</p> <p>Laurie D'Angelo - Manager Community and Recreation</p> <p>Emily Livens - Coordinator Recreation &amp; Community Planning</p>
<b>AUTHOR:</b>	Richard Hershman - Community Planner
<b>MAITLAND +10</b>	Outcome 1. Sense of place and pride
<b>COUNCIL OBJECTIVE:</b>	1.1.4 To develop and support community partnerships that increase community benefits and create a sense of community

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### EXECUTIVE SUMMARY

*A full review has been undertaken of the Section 356 Community Grants Policy and Guidelines prior to the opening of the grants program in the 2019/2020 financial year. The review is based on feedback from a range of stakeholders including previous applicants, the current Councillor assessment panel and Council officers. Changes proposed include the introduction of a new program for commemorative and recognised days, a new category within the Annual Community Grants Program for environmental and sustainability initiatives and the separation of Sports and Arts categories within the Higher Achievers Grant Program.*

*Council's Section 356 Community Grants aim to provide financial support to local non-profit community based organisations/groups to provide projects, activities or events that meet community needs and benefit residents in our community.*

### OFFICER'S RECOMMENDATION

THAT

1. Council approves the revised Section 356 Community Grants Policy and associated program guidelines, application and acquittal forms.
2. All budget allocations relating to the revised Section 356 Community Grants categories are consolidated into the Section 356 Community Grants program budget.

**COUNCIL RESOLUTION**

**THAT**

1. Council approves the revised Section 356 Community Grants Policy and associated program guidelines, application and acquittal forms.
2. All budget allocations relating to the revised Section 356 Community Grants categories are consolidated into the Section 356 Community Grants program budget.

**Moved Cr S Halliday, Seconded Cr B Mitchell**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

Council moved into Policy & Finance Committee at 5.40 pm

Moved: Cr M Griffin, Seconded: Cr B Whiting

**CARRIED**

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## 11 POLICY AND FINANCE COMMITTEE

### 11.1 REVIEW OF INVESTMENT POLICY

<b>FILE NO:</b>	82/1
<b>ATTACHMENTS:</b>	1. Investment Policy 2016 2. Investment Policy 2019
<b>RESPONSIBLE OFFICER:</b>	Leah Flint - Group Manager Strategy Performance and Business Systems
<b>AUTHOR:</b>	Annette Peel - Manager Finance & Risk
<b>MAITLAND +10</b>	Outcome 17. An efficient and effective Council
<b>COUNCIL OBJECTIVE:</b>	17.2.1 To maintain effective and appropriate systems to ensure decision-making is transparent, accessible and accountable

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#### EXECUTIVE SUMMARY

*In accordance with Council's policy review process the Investment Policy has been reviewed and the revised policy has been presented for adoption.*

#### OFFICER'S RECOMMENDATION

THAT

1. Council adopt the Investment Policy 2019.

#### COMMITTEE RECOMMENDATION

THAT

1. Council adopt the Investment Policy 2019.

Moved Cr P Garnham, Seconded Cr S Halliday

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

<b>For:</b>	Cr R Aitchison	<b>Against:</b>
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	



Cr S Halliday  
Cr H Meskauskas  
Cr B Mitchell  
Cr N Penfold  
Cr P Penfold  
Cr K Ranadive  
Cr B Whiting  
Cr M Yarrington

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## 11.2 DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY

<b>FILE NO:</b>	<b>35/1/2 &amp; 35/1/3</b>
<b>ATTACHMENTS:</b>	<b>1. Designated Persons Duties of Disclosure Policy 2019</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Leah Flint - Group Manager Strategy Performance and Business Systems</b>
<b>AUTHOR:</b>	<b>Louise Rampling - Senior Governance Officer</b>
<b>MAITLAND +10</b>	<b>Outcome 17. An efficient and effective Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>17.2.1 To maintain effective and appropriate systems to ensure decision-making is transparent, accessible and accountable</b>

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### EXECUTIVE SUMMARY

*This report is to identify and determine positions within Council, the occupants of which are determined to be designated persons for the purposes of clause 4.8 of Council's Code of Conduct.*

*As resolved at the Council meeting of 11 June 2019, the Designated Persons Duties of Disclosure Policy has been reviewed to ensure positions identified as designated persons meet the relevant criteria, and to reflect changes in the organizational structure and position titles. The review has resulted in a revised policy, which is now presented for adoption.*

### OFFICER'S RECOMMENDATION

**THAT**

- 1. The Designated Persons Duties of Disclosure Policy 2019 (Attachment 1) be adopted**

### COMMITTEE RECOMMENDATION

**THAT**

- 1. The Designated Persons Duties of Disclosure Policy 2019 (Attachment 1) be adopted**

**Moved Cr M Griffin, Seconded Cr N Penfold**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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### 11.3 STATEMENT OF INVESTMENTS AS AT 31 MAY 2019

<b>FILE NO:</b>	82/2
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Council's holdings as at 31 May 2019 (Attachment A)</li> <li>2. Investment Portfolio at a glance (Attachment B)</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	Leah Flint - Group Manager Strategy Performance and Business Systems
<b>AUTHOR:</b>	Emily Lasky - Compliance Accountant
<b>MAITLAND +10</b>	Outcome 18. A Council for now and future generations
<b>COUNCIL OBJECTIVE:</b>	18.1.1 To ensure the principles of sustainability underpin Council's financial, economic, social, governance and environmental decision-making

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#### EXECUTIVE SUMMARY

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

#### OFFICER'S RECOMMENDATION

##### THAT

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

#### COMMITTEE RECOMMENDATION

##### THAT

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

Moved Cr B Whiting, Seconded Cr K Ranadive

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

**Council resumed into Ordinary Council at 5.45 pm.**

**Moved Cr B Whiting, Seconded Cr M Griffin**

**CARRIED**

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

### **11.1 Review of Investment Policy**

COMMITTEE RECOMMENDATION

THAT

1. Council adopt the Investment Policy 2019.

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

### **11.2 Designated Persons - Duties of Disclosure Policy**

COMMITTEE RECOMMENDATION

THAT

1. The Designated Persons Duties of Disclosure Policy 2019 (Attachment 1) be adopted

Moved Cr M Griffin, Seconded Cr N Penfold

CARRIED

### **11.3 Statement of Investments As At 31 May 2019**

COMMITTEE RECOMMENDATION

THAT

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

Moved Cr B Whiting, Seconded Cr K Ranadive

CARRIED

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

**Moved Cr M Griffin, Seconded Cr B Whiting**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## **12 NOTICES OF MOTION/RESCISSION**

Nil



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## 13 QUESTIONS WITH NOTICE

### 13.1 PROGRESS OF INTERSECTIONS IN THORNTON

SUBMITTED BY CR MITCHELL GRIFFIN

**FILE NO:** 35/7/4  
**ATTACHMENTS:** Nil  
**RESPONSIBLE OFFICER:** David Evans - General Manager  
Chris James - Group Manager Infrastructure & Works

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Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 25 June 2019:

*Can Council provide an update on the status of Section 7/11 contributions accrual towards the following intersections in Thornton, and advise on what is Council's estimate on the timeframe on when work is likely to be ready to commence on these projects:*

- Hausmann Drive/Raymond Terrace Road
- Government Road/Raymond Terrace Road
- Thornton Road/Glenwood Drive
- Glenwood Drive/Weakleys Drive

#### RESPONSE BY EXECUTIVE MANAGER

##### Section 7.11 Contributions

Council is holding \$19M in the Thornton North Contributions Plan towards all road and traffic facilities projects in the plan. Of this \$5.3M is committed to works in kind agreement as resolved by Council at its meeting of 30 January 2018.

##### Hausman Drive / Raymond Terrace Road

A concept design has been completed and forwarded to the Roads & Maritime Services (RMS) for concurrence. The delivery of this intersection will take two years from allocation of funding. Year 1 – detail design, utility relocation, property acquisition. Year 2 – construction.

##### Government Road / Raymond Terrace Road

Council has received \$1.4M in the Housing Acceleration Fund (HAF) (Round 5).

A concept design has been completed and forwarded to the Roads & Maritime Services (RMS) for concurrence. All the design adjustments requested by the RMS have been completed.

A consultant has been engaged to complete a detail design. It is proposed to commence utility relocation design work by March 2020. Stage 2 Construction is subject to funding.

Thornton Road / Glenwood Drive

A grant application was lodged for \$6.68 million for funding via Growing Local Economies in June 2018.

The timing indicated in the Grant Application was delivery over two years with Year 1 being investigation, design and acquisition and Year 2 delivery road construction

Glenwood Drive / Weakleys Drive

The intersection is not included within the Section 7.11 contribution works for Chisholm. The intersection was constructed by the RMS as part of the New England Highway overpass works. The intersection was completed in 2008 after the adoption of the Section 7.11 plans. Timing of works is subject to obtaining funding and the project is anticipated to take two years to complete.

## 14 URGENT BUSINESS

Nil

Council moved into the Committee of the Whole at 5.44 pm.

Moved Cr B Mitchell, Seconded Cr B Whiting

CARRIED

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 5.45 pm.

Moved Cr D Ferris, Seconded Cr P Garnham

CARRIED

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## 15 COMMITTEE OF THE WHOLE

### 15.1 MAITLAND ADMINISTRATION CENTRE ARCHITECTURAL DOCUMENTATION SERVICES EXPRESSION OF INTEREST

<b>FILE NO:</b>	2019/137/1470
<b>ATTACHMENTS:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chris James - Group Manager Infrastructure & Works
<b>AUTHOR:</b>	Aaron Cook - Acting Manager Projects & Services
<b>MAITLAND +10</b>	Outcome 18. A Council for now and future generations
<b>COUNCIL OBJECTIVE:</b>	18.3.4 To develop an activity based workplace that supports collaboration, wellbeing and a focus on citizen service

*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

*At its meeting of 14 May 2019, Council resolved to call selective tenders for architectural documentation services for the new Maitland Administration Centre. On the 6 June 2019 ten Expressions of Interest (EOIs) were received. Expressions of Interest have been assessed by a Tender Evaluation Panel in accordance with a Tender Evaluation Plan.*

*This report provides details of the assessment and a recommendation to proceed to selective tender.*

#### 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.*

#### COMMITTEE RECOMMENDATION

**THAT**

- Tenders be called for architectural documentation services from the following selective tender shortlist:**

- **BVN Architecture Pty Ltd**
- **PTW Architects.**

**Moved Cr P Garnham, Seconded Cr B Whiting**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## 15.2 CONSIDERATION OF TENDERS MAITLAND REGIONAL ATHLETICS COMPLEX

<b>FILE NO:</b>	<b>137/1465</b>
<b>ATTACHMENTS:</b>	<b>Nil</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Chris James - Group Manager Infrastructure &amp; Works Aaron Cook - Acting Manager Projects &amp; Services</b>
<b>AUTHOR:</b>	<b>Murray Wood - Senior Project Architect</b>
<b>MAITLAND +10</b>	<b>Outcome 2. Community and recreation services and facilities</b>
<b>COUNCIL OBJECTIVE:</b>	<b>2.1.2 To build a range of community, recreation and leisure facilities based on sound asset management principles</b>

*THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

### EXECUTIVE SUMMARY

*Tenders were called for the construction of the Maitland Regional Athletics Complex, being a major redevelopment on the existing site adjacent to No1 Sportsground. The works included in this tender comprise of a new grandstand, amenities, road access, car parking, drainage, IAAF certified Class 2 synthetic athletics track, playground and pathway links.*

*Seven tenders were received and assessed by a tender review panel. This report provides details of the tender assessment and a recommendation to award a contract for the works.*

### 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.*

### COMMITTEE RECOMMENDATION

**THAT**

- 1. Council accept the tender of Graph Builders Pty Ltd in the amount of \$10,763,190 inc GST (\$9,784,718.18 ex. GST) for the construction of the Maitland Regional Athletics Complex.**

**2. The common seal of Council be affixed to the contract documents.**

**Moved Cr S Halliday, Seconded Cr H Meskauskas**

**CARRIED**

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

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

### 15.3 NEW ENGLAND HIGHWAY VEGETATION MAINTENANCE

<b>FILE NO:</b>	92/2
<b>ATTACHMENTS:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Chris James - Group Manager Infrastructure & Works
<b>AUTHOR:</b>	Ashley Kavanagh - Manager Works
<b>MAITLAND +10</b>	Outcome 1. Sense of place and pride
<b>COUNCIL OBJECTIVE:</b>	1.1.3 To improve the appearance and presentation of the City, fostering a sense of community pride

*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

*The Roads & Maritime Services (RMS) has approached Council with a proposal for Council to undertake the vegetation maintenance activities on the New England Highway from Weakleys Drive, Thornton to Kyle Street, Rutherford for a two-year period. Works will need to be undertaken in line with the RMS's M3 specifications.*

*Council has undertaken estimates for the completion of these works to RMS M3 specification along with increased service level costing.*

#### 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.*

#### COMMITTEE RECOMMENDATION

**THAT**

- 1. Council accept the RMS offer as detailed in the report to complete vegetation maintenance works on the New England Highway from Weakley's Drive Thornton to Kyle Street, Rutherford.**
- 2. This arrangement be reviewed in two years with the RMS.**

**Moved Cr P Penfold, Seconded Cr M Griffin**



**CARRIED**

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## 15.4 CONSIDERATION OF TENDERS - PROVISION OF ROAD RESURFACING

<b>FILE NO:</b>	<b>137/1342</b>
<b>ATTACHMENTS:</b>	<b>Nil</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Chris James - Group Manager Infrastructure &amp; Works Ashley Kavanagh - Manager Works</b>
<b>AUTHOR:</b>	<b>Brendan Moran - Operations Manager Civil Maintenance</b>
<b>MAITLAND +10</b>	<b>Outcome 17. An efficient and effective Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>17.3.2 To optimise collaboration with other regional councils to maximise service provision and benefits to Council and the Hunter Region</b>

*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

*As an agent for participating member Councils, Regional Procurement has called tenders for the Provision of Road Resurfacing. The tender is a panel source tender where Council has the option to choose a contractor who is available to undertake the supply / service to meet Council's schedule.*

*This report provides Council with information in relation to this tender and seeks Council's approval to engage contractors / purchase products utilising this tender commencing 1 July 2019.*

### 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.*

### COMMITTEE RECOMMENDATION

**THAT**

- 1. Tenders submitted by:**
  - . Accurate Asphalt and Road Repairs Pty Ltd**
  - . All Pavement Solutions Pty Ltd**

- . ANA Industries Pty Ltd
- . Bitupave Limited t/a Boral Asphalt
- . COLAS New South Wales Pty Ltd
- . Downer EDI Works Limited
- . Fenworx Pty Ltd t/a Newpave Asphalt
- . Fulton Hogan Industries Pty Ltd
- . Ian Rich Asphalt Pty Ltd
- . New South Wales Spray Seal Pty Ltd
- . The Trustee for Super Sealing Unit Trust t/a Super Sealing

are accepted for Category 1 through to Category 5 components of the tender.

2. The tenderer/s representing best value be appointed as Panel suppliers to Maitland City Council for the period 1 July 2019 to 30 June 2022 for the following categories:
  - . Category 1: Sprayed Bituminous Road Surfacing (Full Service)
  - . Category 2: Supply Only / Supply & Deliver / Supply, Deliver & Lay - Asphaltic Concrete
  - . Category 3: Mill and Re-sheet
  - . Category 4: Crack Seal Bituminous Pavement
  - . Category 5: Heavy Patching
3. That provision is allowed for a 12-month extension based on satisfactory performance, which may take the tender through to 30 June 2023.

Moved Cr R Aitchison, Seconded Cr H Meskauskas

**CARRIED**

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

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison Cr L Baker Cr D Ferris Cr P Garnham Cr M Griffin Cr S Halliday Cr H Meskauskas Cr B Mitchell Cr N Penfold	Against:
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Cr P Penfold  
Cr K Ranadive  
Cr B Whiting  
Cr M Yarrington

Council resumed into Ordinary Council at 6.02 pm.

Moved Cr B Whiting, Seconded Cr B Mitchell

CARRIED

## **16 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

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

### **15.1 Maitland Administration Centre Architectural Documentation Services Expression of Interest**

COMMITTEE RECOMMENDATION

THAT

1. Tenders be called for architectural documentation services from the following selective tender shortlist:
  - BVN Architecture Pty Ltd
  - PTW Architects.

Moved Cr P Garnham, Seconded Cr B Whiting

CARRIED

### **15.2 Consideration of Tenders Maitland Regional Athletics Complex**

COMMITTEE RECOMMENDATION

THAT

1. Council accept the tender of Graph Builders Pty Ltd in the amount of \$10,763,190 inc GST (\$9,784,718.18 ex. GST) for the construction of the Maitland Regional Athletics Complex.
2. The common seal of Council be affixed to the contract documents.

Moved Cr S Halliday, Seconded Cr H Meskauskas

CARRIED

### **15.3 New England Highway Vegetation Maintenance**

COMMITTEE RECOMMENDATION

THAT

1. Council accept the RMS offer as detailed in the report to complete vegetation maintenance works on the New England Highway from Weakley's Drive Thornton to Kyle Street, Rutherford.
2. This arrangement be reviewed in two years with the RMS.

Moved Cr P Penfold, Seconded Cr M Griffin

CARRIED

#### **15.4 Consideration of Tenders - Provision of Road Resurfacing**

##### COMMITTEE RECOMMENDATION

THAT

1. Tenders submitted by:
  - . Accurate Asphalt and Road Repairs Pty Ltd
  - . All Pavement Solutions Pty Ltd
  - . ANA Industries Pty Ltd
  - . Bitupave Limited t/a Boral Asphalt
  - . COLAS New South Wales Pty Ltd
  - . Downer EDI Works Limited
  - . Fenworx Pty Ltd t/a Newpave Asphalt
  - . Fulton Hogan Industries Pty Ltd
  - . Ian Rich Asphalt Pty Ltd
  - . New South Wales Spray Seal Pty Ltd
  - . The Trustee for Super Sealing Unit Trust t/a Super Sealingare accepted for Category 1 through to Category 5 components of the tender.
2. The tenderer/s representing best value be appointed as Panel suppliers to Maitland City Council for the period 1 July 2019 to 30 June 2022 for the following categories:
  - . Category 1: Sprayed Bituminous Road Surfacing (Full Service)
  - . Category 2: Supply Only / Supply & Deliver / Supply, Deliver & Lay - Asphaltic Concrete
  - . Category 3: Mill and Re-sheet
  - . Category 4: Crack Seal Bituminous Pavement

. Category 5: Heavy Patching

3. That provision is allowed for a 12-month extension based on satisfactory performance, which may take the tender through to 30 June 2023.

Moved Cr R Aitchison, Seconded Cr H Meskauskas

CARRIED

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

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

The division resulted in 13 for and 0 against, as follows:

For:	Cr R Aitchison	Against:
	Cr L Baker	
	Cr D Ferris	
	Cr P Garnham	
	Cr M Griffin	
	Cr S Halliday	
	Cr H Meskauskas	
	Cr B Mitchell	
	Cr N Penfold	
	Cr P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## **17 CLOSURE**

The meeting was declared closed at 6.04 pm.

.....  
Chairperson