



Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Meeting of Maitland City Council** will be held in the **Council Chambers, Town Hall, High Street, Maitland**, commencing at **5.30pm**.

ORDINARY MEETING

AGENDA

23 JANUARY 2024

JEFF SMITH
GENERAL MANAGER

Please note:

Councillors are reminded of their Oath or Affirmation of Office to undertake their duties in the best interests of the people of the City and Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993, or any other Act to the best of their ability and judgement. Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

In accordance with the NSW Privacy and Personal Information Protection Act, you are advised that all discussion held during the Open Council meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, Staff member or a member of the public.



TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	INVOCATION.....	1
2	ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE	1
4	DECLARATIONS OF INTEREST	1
5	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
6	BUSINESS ARISING FROM MINUTES	1
7	WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS.....	1
8	PUBLIC ACCESS	1
9	MAYORAL MINUTE.....	2
	9.1 WALKA WATER WORKS.....	2
10	GENERAL MANAGER'S REPORTS	3
	NIL	
11	PLANNING AND ENVIRONMENT	4
	11.1 WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR.....	4
	11.2 TENDER FOR SECURITY AT MAITLAND RESOURCE RECOVERY FACILITY	10
12	CULTURE, COMMUNITY AND RECREATION.....	12
	12.1 HAROLD GREGSON PLAN OF MANAGEMENT	12
13	INFRASTRUCTURE AND WORKS	70
	13.1 STEAMER STREET SHARED PATHWAY PROJECT UPDATE	70

13.2	ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS	74
13.3	LOCAL TRAFFIC COMMITTEE MEETING MINUTES (DECEMBER 2023).....	82
14	STRATEGY, PERFORMANCE AND BUSINESS SYSTEMS	94
14.1	FINAL COUNCIL MEETING PRIOR TO 2024 LOCAL GOVERNMENT ELECTION	94
14.2	STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023	97
14.3	STATE GOVERNMENT ELECTION COMMITMENT FUNDING UPDATE.....	118
14.4	GRANT APPLICATION UNDER THE URBAN RIVERS AND CATCHMENT PROGRAM FOR CONSTRUCTED WETLANDS AT RUTHERFORD	121
15	DIGITAL TRANSFORMATION	125
	NIL	
16	WORKPLACE CULTURE AND SAFETY	125
	NIL	
17	VIBRANT CITY	125
	NIL	
18	ITEMS FOR INFORMATION.....	125
	NIL	
19	NOTICES OF MOTION/RESCISSION	125
20	QUESTIONS WITH NOTICE	125
21	URGENT BUSINESS.....	125
22	COMMITTEE OF THE WHOLE	126
22.1	ATWEA COLLEGE AND ALESCO SECONDARY COLLEGE.....	126
22.2	CONSIDERATION OF TENDERS - MORPETH TO WALKA WATERWORKS SHARED PATHWAY - STAGE 2B.....	127
22.3	CONSIDERATION OF TENDERS - OPEN SPACE GROUNDS MAINTENANCE - CEMETERIES	128

22.4 REVIEW OF ORGANISATION STRUCTURE..... 129

23 COMMITTEE OF THE WHOLE RECOMMENDATIONS 130

24 CLOSURE..... 130

PRESENT

1 INVOCATION

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

4 DECLARATIONS OF INTEREST

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- *The Minutes of the Ordinary Meeting held 12 December 2023 be confirmed.*

6 BUSINESS ARISING FROM MINUTES

**7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS
OF BUSINESS**

8 PUBLIC ACCESS

9 MAYORAL MINUTE

9.1 WALKA WATER WORKS

FILE NO: 35/5/1
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager
AUTHOR: Philip Penfold - Mayor

MAYORAL MINUTE

In consideration of the NSW Government's advice that there is currently no additional funding available to achieve the complete remediation of the contaminated Crown Land at Walka Water Works, Council seek their agreement to reallocate the existing funding allocations to prioritise contaminated land remediation and pumphouse building remediation and enhancement, while proceeding with planning works for appropriate future accommodation on site.

GROUP MANAGER RESPONSE

An important step to any future use of the Walka Water Works site is to deal with the contamination issue and undertake remediation. The remediation works have been staged and are dependent on future funding from Crown Lands over multiple financial years. If Crown Lands, Maitland City Council and the Regional Tourism Activation Fund (RTAF) allocations can be redirected to the remediation works for both the land and pumphouse building, the site would be accessible to the community sooner. The redirection of funding could also expediate the preparation of studies that will need to be undertaken before the lodgement of any development applications that relate to the holiday accommodation.

10 GENERAL MANAGER'S REPORTS

Nil

11 PLANNING AND ENVIRONMENT

11.1 WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR

FILE NO:	103/41/64
ATTACHMENTS:	1. Draft WIK (Under Separate Cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Group Manager Planning & Environment Brett Gardiner - Manager Strategic Planning Anne Humphries - Principal Development Contributions Planner
AUTHOR:	Isaac Milajew - Development Contributions Officer
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.1.1 Better align land use and transport planning to move toward the region's target of 15 minute neighbourhoods with access to housing, jobs, services and transport

EXECUTIVE SUMMARY

Development consent was granted on 26 March 2020 for a 134-lot subdivision at 853 New England Highway, Lochinvar. The approval was issued subject to a range of conditions including:

- the levying of development contributions in accordance with the Lochinvar Development Contributions Plan 2014; and*
- the construction of a roundabout on Springfield Drive.*

The McCloy Group has made an application to enter into a Works in Kind Agreement to deliver the roundabout which is included in the work schedules within the LCP.

Following consultation between Council, the McCloy Group and Council's legal representatives the draft Works in Kind Agreement has been prepared and is presented to Council recommending approval.

OFFICER'S RECOMMENDATION

THAT

- 1. A variation to the provisions contained in the Works in Kind / Material Public Benefit Policy and the Lochinvar Contributions Plan 2014 as described in this report be approved.**
- 2. Pursuant to s55(3)(i) of the Local Government Act 1993, Council resolves not to invite tenders under s55(1) of that Act for works associated with the Works in Kind**

WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR (Cont.)

Agreement as a more satisfactory contract result will be achieved as a result of the works being delivered by the developer as required by their consent, and

- 3. The draft Works in Kind Agreement as provided in Attachment 1 to this report be approved.**

REPORT

Council granted consent to the McCloy Group Pty Ltd (the Developer) on 26 March 2020 under DA 17-1781 for a 134-lot subdivision at 853 New England Highway, Lochinvar. The consent was granted subject to a range of conditions including the requirement to pay development contributions in accordance with the Lochinvar Development Contributions Plan 2014 (LCP). The construction of stages 1 to 4 of the development consisting of 100 lots, has proceeded with the relevant contributions paid to allow for the release of subdivision certificates in each stage. The contributions detailed in Table 1 below remain outstanding on the development.

Facility	Total
	34
Lochinvar Recreation & Open Space	\$318,376
Lochinvar Community Facilities	\$101,830
Lochinvar Road & Traffic Facilities	\$222,870
<i>Offset for Land Acquisition - L26 Windella Rd/NEH Intersection</i>	<i>\$17,133</i>
<i>Offset for WIK - L20 Part Central Median Construction</i>	<i>\$161,974</i>
<i>Revised Lochinvar Road & Traffic Facilities</i>	<i>\$43,764</i>
Lochinvar Cycleways/Shared Paths	\$31,518
Lochinvar Stormwater Management	\$49,062
City Wide Aquatics	\$38,216
Citywide Competition Netball Courts	\$8,874
City Wide Recreation & Open Space	\$31,926
City Wide Road & Traffic Facilities	\$126,616
City Wide Cycleways/Shared Paths	\$22,576
Lochinvar Plan Management/Administration	\$23,800
Total (Less Offsets)	\$796,558

Table 1 – Outstanding Development Contributions

The consent also requires the developer to undertake works contained in the LCP as detailed in Table 2 below.

Item No	Facility	Capital Costs (Indexed)	Land Costs (Indexed)	Total
L27	Roundabout	\$641,171	\$35,188	\$676,359

Table 2 – LCP Item

WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR (Cont.)

The developer has made application to enter into a Works in Kind Agreement (WIKa) for the delivery of the above item. Figure 1 below shows the location of the works.



Figure 1 – Location Plan

WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR (Cont.)

As the value of the works exceeds the contributions outstanding in the Lochinvar Road and Traffic category, it is proposed that the works value will be offset in the following manner:

1. Firstly, in satisfaction of the contributions outstanding in the Lochinvar Road and Traffic category as identified in Table 1 above, and
2. Secondly in satisfaction of contributions levied in other contribution categories (at Council's discretion) as identified in Table 1 above until such time as the value of the works is exhausted.

As contributions are received into the Lochinvar Road and Traffic category from development elsewhere in the Lochinvar Urban Release Area (LURA), funds will be reimbursed into those categories where offsets have been applied as described in Point 2 above.

Works in Kind/Material Public Benefit Policy

The draft WIKA is provided in Attachment 1 to this report. The offset proposal described above will only apply following completion of the works and when all Clauses in the WIK relating to practical completion and dedication of the works have been satisfied.

In accordance with Council's Works in Kind/Material Public Benefit Policy matters such as but not limited to the following have been considered.

The access, siting and design of the proposed facilities in the context of the proposed development and adjoining current or future development that would be expected to benefit from the facility.

All facilities have been designed and located in accordance with master planning for the site, the Development Control Plan (DCP) and the LCP. Assessment of plans approved under DA 17-1781 considered road connectivity to adjoining development sites and the design and location of the roundabout to provide the best outcome and benefit to the community.

Whether the proposed works will be to a suitable standard for the Council to eventually accept.

Critical stage inspections will be carried out during the construction phase to ensure works are completed in accordance with the relevant approvals, Council's Manual of Engineering Standards and Australian Standards. The Subdivision Certificate for the relevant stage of the development will not be issued until such time as Council is satisfied that the works have been completed in accordance with approved plans.

WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR (Cont.)

Whether the works schedule, particularly the design and cost of the specified facility, in the contributions plan remains valid or requires amendment.

The LCP was adopted by Council in August 2014 with consideration at the time given to benchmarks and best practice guiding principles contained within state and local government planning/engineering strategies. The values in the LCP have been indexed annually in accordance with the ABS' Consumer Price Index. The civil construction costs submitted by the developer indicate their costs will exceed those allowed for under the LCP, however there is no expectation that these additional costs will be reimbursed from the LCP.

Whether the applicant proposes to carry out the work to a higher standard than the baseline facility specified in the contributions plan and whether there is any requirement or expectation for a credit against any other contribution.

See above comments.

The financial implications for cash-flow and the continued implementation of the works schedule.

Contributions have been levied under the LCP for approximately 1700 lots to date. However, Council has only collected contributions for 640 lots. The number of facilities being delivered under Works in Kind Agreements across the LURA is resulting in limited funds being collected into the plan. Accordingly, the offsetting of the value of the works against contributions levied in various categories, rather than providing a reimbursement payment to the Developer, addresses the limited means by which the delivery of these critical works can be realised in the short to mid-term. Council officers will need to carefully monitor income and expenditure and identify priorities to ensure an appropriately sequenced program of delivery is achieved to service the incoming population of the LURA.

CONCLUSION

The location and design of the roundabout is consistent with Council's strategic planning for the LURA. The Council has followed its adopted policy processes for the receipt and assessment of the WIKA and on that basis, its approval is recommended.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates. The proposal involves the use of \$7.11 development contributions only.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council. The negotiation and preparation of the WIKA have been conducted in accordance with the LCP and Council's Material Public Benefit/Works in Kind Policy.

WORKS IN KIND AGREEMENT FOR ROUNDABOUT AT SPRINGFIELD DRIVE LOCHINVAR (Cont.)

STATUTORY IMPLICATIONS

Section 55 of the Local Government Act 1993 requires that Council's adhere to public tendering processes for the provision of facilities with a value in excess of \$250,000. Under the provisions of Clause 55(3)(i) Council can resolve that because of extenuating circumstances, a satisfactory contract result would be achieved by not inviting tenders. Legal advice sought from Lindsay Taylor Lawyers confirms that when a developer is required by their consent to undertake the works, it is not possible for any party other than one associated with the developer to conduct the work and therefore a satisfactory result would not be achieved by inviting tenders. A recommendation to this effect has been provided above.

11.2 TENDER FOR SECURITY AT MAITLAND RESOURCE RECOVERY FACILITY

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

EXECUTIVE SUMMARY

Security breaches and subsequent theft and vandalism has had an impact on the ongoing operations of the Maitland Resource Recovery Facility (MRRF). This report details the proposed plan to improve security at the site.

OFFICER'S RECOMMENDATION**THAT**

- 1. Council resolve to call tenders for the proposed security contract at Maitland Resource Recovery Facility**
- 2. Council approve the additional expenditure of \$140,000 for security for 2023/24 with \$98,000 funded from the Domestic Waste Management Reserve and \$42,000 funded from general reserve**

REPORT

During 2023 a trial was undertaken at the MRRF to have security guards located onsite overnight to reduce operational impacts being experienced by almost daily security breaches at the waste facility. Prior to undertaking the trial there had been almost daily security breaches at the waste facility and had been a recent escalation of site vandalism and theft on site.

Previous security measures had generally been successful at deterring theft from the weighbridge and amenities with only one incident in recent years, that was interrupted by the security guard responding to the alarm. The security arrangements however had not had any impact in reducing activity occurring in other areas of the site.

Security breaches and subsequent vandalism including theft of fuel, damage to plant and equipment, theft of IT equipment and burning plastics from electrical cables, were regularly impacting on operations and have the potential to stop disposal of waste on site.

TENDER FOR SECURITY AT MAITLAND RESOURCE RECOVERY FACILITY (Cont.)

Diverting the general waste collection vehicles to Summerhill Waste Management Centre costs Council approximately \$50,000 per day. This would be required if major damage occurs to the landfill compactor or if a fire entered the landfill waste cell. Replacement and repair costs from theft and vandalism on the site during 2023 have cost Council over \$50,000.

Several changes have been made during the trial to determine the most suitable security arrangements for the site. The trial has been successful in moving along people attempting to enter the site and preventing theft, vandalism and equipment damage. There are however several reports per week of people still attempting to access the site.

During the trial the security guard also successfully prevented a major fire from occurring at the site.

Due to the continued attempts to gain access to the waste facility it is recommended that permanent security is employed on site for 12 to 18 months, with guards located on site for approximately 14 hours 7 days per week.

CONCLUSION

Ongoing security breaches at the MRRF put Council's waste disposal operations at risk. To adequately manage these breaches improved site security is required including overnight security guards.

FINANCIAL IMPLICATIONS

An additional \$140,000 in funding is required in the 2023/24 financial year with \$98,000 to be funded from the Domestic Waste Management Reserve and \$42,000 to be funded from general reserve. This change to the budget will occur through the quarterly budget review process.

The cost of security for the 2024/25 financial year, which is estimated at \$260,000, has been included in the proposed waste disposal budget. This is considered a reasonable and necessary investment to protect the site operations and assets.

POLICY IMPLICATIONS

To meet requirement of the procurement policy, tenders for the security contract must be called.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

12 CULTURE, COMMUNITY AND RECREATION

12.1 HAROLD GREGSON PLAN OF MANAGEMENT

FILE NO:	29/24
ATTACHMENTS:	1. Harold Gregson Plan of Management
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Darren Crumpler - Manager Community & Recreation
AUTHOR:	Donna Olbourne - Recreation Planner
MAITLAND +10	Outcome 4 To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3.1 Manage community assets in line with agreed levels of service as captured in asset management plans, policy and strategy

EXECUTIVE SUMMARY

In accordance with section 38 of the Local Government Act 1993, the Harold Gregson Plan of Management went on public exhibition for 28 days and further 14 days for the public notice period. No submissions were made during this period. This report outlines the requirements and outcomes of the public exhibition and recommends that the Harold Gregson Plan of Management be adopted.

OFFICER'S RECOMMENDATION

THAT

- 1. The Harold Gregson Plan of Management be adopted.**

REPORT

The Harold Gregson Plan of Management was approved by the Department of Crown Lands on the 24th November 2023. It went on public exhibition from 7th Dec 2023 to 4th Jan 2024 and public notice remained open for submissions until the 18th January 2024, this is in line with section 38 of the Local Government Act 1993.

No submissions were received during this time.

CONCLUSION

The Harold Gregson Plan of Management has met all requirements under the Local Government Act 1993 and with no public submissions, it is recommended that it is adopted.

HAROLD GREGSON PLAN OF MANAGEMENT (Cont.)

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

Culture, Community and Recreation

HAROLD GREGSON PLAN OF MANAGEMENT

Harold Gregson Plan of Management

Meeting Date: 23 January 2024

Attachment No: 1

Number of Pages: 55

DRAFT Harold Gregson Reserve

CROWN RESERVES: D570021, R56647 AND R41282



maitland

city council

VERSION CONTROL

VERSION DATE	AUTHOR	REVIEWED BY
Final Issued Draft 6 June 2023	CGM Planning & Development P/L	Issued for Council review/reporting





Contents

KEY INFORMATION	8
INTRODUCTION	12
2.1 Purpose of the Plan of Management	12
2.2 Process of preparing this Plan of Management	12
2.3 Change and review of Plan of Management	12
2.4 Community consultation	13
LAND DESCRIPTION	16
3.1 Land comprising the habitat of endangered species or threatened species	16
BASIS OF MANAGEMENT	26
4.1 Categorisation of the land	26
4.2 Guidelines and core objectives for management of community land	26
4.3 Restrictions on management of Crown land	26
4.4 Council's strategic objectives and priorities	27
DEVELOPMENT AND USE	28
5.1 Current use of the land	29
5.2 Permissible uses / future uses	33
5.3 Leases, licences and other estates	36
MANAGEMENT OF LAND BY CATEGORY	42
6.1 Park	42
6.2 Natural area - watercourse	43
APPENDICES	42
Appendix 1 – Category map	42
Appendix 2 – Condition description of the land and structures	71
Appendix 3 – Stakeholder engagement	73
Appendix 4 – Plan of Management legislative framework	77
Appendix 5 – Aboriginal interests in Crown land	84

ACKNOWLEDGMENT

We acknowledge the Wonnarua People as the Traditional Owners and Custodians of the land within the Maitland Local government area. Council pays respect to all Aboriginal Elders, past, present and future with a spiritual connection to these lands.



1. KEY INFORMATION

1.1 BACKGROUND

This site specific Plan of Management (POM) has been prepared by Maitland City Council and provides direction as to the use and management of Council managed Crown reserves classified as ‘community land’ in the Maitland City Council area. The POM is required in accordance with Section 3.23 of the Crown Land Management Act 2016 and Section 36 of the Local Government Act 1993.

This POM specifically addresses the management of Harold Gregson Reserve, located at Horseshoe Bend, Maitland comprising three Crown reserves.

RESERVE NUMBER	REAL PROPERTY: LOT IN DEPOSITED PLAN	PURPOSE	AREA (HA)
D570021	Lot 7306 DP 1154271	Public Recreation	4.175
R56647	Lots 7307-7308 DP 1154271	Drainage	0.565
R41282	Lot 7007 DP 1126956	Drainage	1.235

This POM outlines the way the land will be used and provides the framework for Council to follow in relation to management and development of the reserve, permissible uses and the express authorisation of leases and licence on the land.

This POM was adopted by Council on [insert details] after referral to the land owner: The State of NSW, represented by the Minister administering the Crown Land Management Act 2016, public exhibition by Council and written consent by the Minister for Council to adopt the POM.



02

Introduction

Maitland is a rapidly growing city located in the Hunter Valley of New South Wales, two hours north of Sydney. The original inhabitants of the Maitland area residing in the Mindaribba Local Aboriginal Land Council boundaries are the people of the Wonnarua Nation ‘people of the mountains and the plains’. Bordering nations and clans include Worimi, Darkinjung, Kamilaroi, Geawegal, Gringai, Awabakal and Wiradjuri.

The Reserve was originally located between the Hunter River and Wallis Creek and was a riverine area subject to flooding. It is likely the original ecology and Aboriginal relationship to the land would have been similar to other wetlands along the Hunter (Coonabarra).¹ The local Aboriginal community retain a strong association with the land, and it is their desire to see Aboriginal cultural heritage honoured and celebrated on the reserve in a meaningful way.² Non-Indigenous settlement occurred in the early 1800s with all settlement strongly associated with the Hunter River.

The rich alluvial floodplain provides a natural greenbelt between residential areas and combined with the city’s history and well preserved historic buildings, provides Maitland with an attractive rural ambiance. The result of this geographical setting is a large number of urban areas, each with their own unique character and identity, which together form the City of Maitland.

The City of Maitland covers 396 square kilometres stretching from Woodberry in the east to Tocal in the north, Gillieston Heights to the south and Lochinvar to the west. It is centrally located west of Newcastle, and within close proximity to Port Stephens, the Hunter Valley Wine Country, Newcastle Airport, and the mining industry.

With a population in excess of 90,000, Maitland continues to experience strong population growth and economic growth in the industrial, commercial and service industries. The Maitland local government area is recognised as a key urban growth corridor in the lower Hunter and is expected to grow to 144,536 residents by 2041 (an increase of 35%).³

The city supports a diverse community with a large number of schools, both public and private, the Maitland central business district and The Levee, numerous shopping centres, playgrounds, sporting facilities, community centres, and a city wide network of libraries, aquatic centres and clubs.

This POM has been written during a period when Maitland City Council is redeveloping the existing Harold Gregson Reserve into an area of green open space with community infrastructure that caters for multi-generational users and meets the community’s growing needs. The redevelopment of Harold Gregson Reserve is the fourth and final stage of the Maitland Regional Sports Complex project. Accordingly, this draft POM anticipates completion of the works and a site specific condition description consistent with the new work to be inserted prior to public exhibition.

¹ Heritage Interpretation Plan 2022
² Consultation with the Mindaribba LALC May 2023
³ Maitland City Council 2020 LSPS

2.1 PURPOSE OF THE PLAN OF MANAGEMENT

The Local Government Act 1993 (LG Act) requires a Plan of Management (POM) to be prepared for all public land that is classified as 'community land' under that Act.

The Crown Land Management Act 2016 (the CLM Act) authorises local councils (council managers) appointed to manage dedicated or reserved Crown land to manage that land as if it were public land under the LG Act. A POM is required for all council managed Crown reserves on community land.

A POM is an important management tool, which is written by council in consultation with the community. It outlines the land features and clarifies how Council will manage and use or develop the land in the future. A POM provides a transparent and coordinated approach to public land management.

Community land may include a wide variety of properties, ranging from small recreation reserves to iconic parks and in some instance's buildings. Community land supports important aspects of community life and is valued and appreciated by residents, workers and visitors of the Maitland City area.

The LG Act requires that community land be categorised as a natural area, park, sportsground, area of cultural significance, or general community use. A POM can be prepared for more than one parcel of land (Generic) or for a single property (Specific).

The purpose of this site specific POM is to:

- Contribute to Council's broader strategic goals and objectives as set out in the Maitland +10 Community Strategic Plan and Maitland Local Strategic Planning Statement 2040+.

- Provide a framework for consistent management and any future development of Harold Gregson Reserve by Maitland City Council over the next five to ten years.
- Provide a basis for effective day to day decision making.
- Provide an overview of existing assets and facilities and how these facilities will be managed.
- Set guidelines for permissible uses to guide future activities within the park.
- Accommodate and integrate the interests of Maitland City Council (as manager), local residents and business owners (as neighbours and users), visitors to the area and future users of Harold Gregson Reserve.
- Ensure compliance with the Local Government Act 1993 and the Crown Land Management Act 2016.

Further information about the legislative context of Crown Reserve POMs can be found in Appendix 4 of this document.

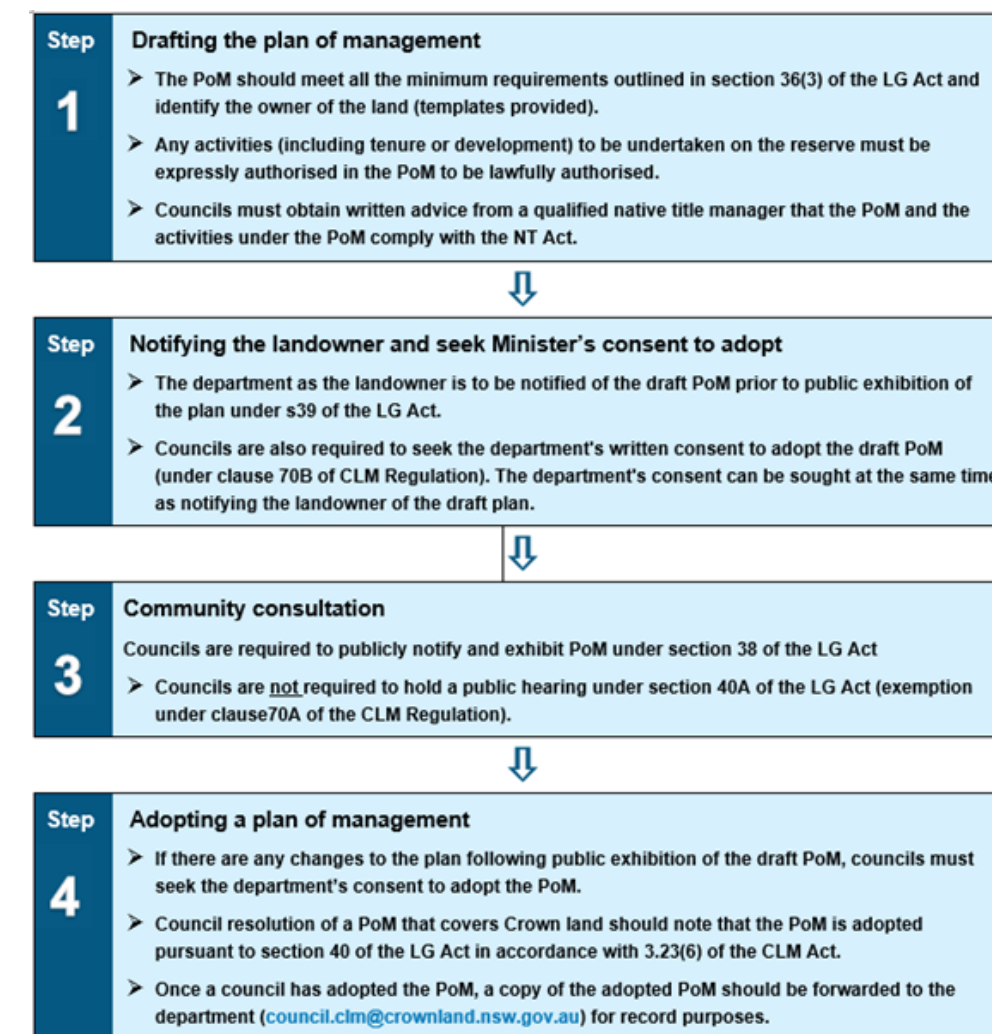


2.2 PROCESS OF PREPARING THIS PLAN OF MANAGEMENT

This POM was prepared using the State Government template in accordance with the CLM Act and LG Act. The draft POM was referred to the State Government as owner of the land, received approval to place the document on public exhibition for comment and submissions by reserve stakeholders and the Maitland City community, and was provided with ministerial written consent for Council to adopt the POM.

Figure 1 illustrates the process undertaken by Council in preparing this POM.

Figure 1: Process steps for preparing a Plan of Management



Source: State Government template 2021 2.3

2.3 CHANGE AND REVIEW OF PLAN OF MANAGEMENT

This POM will require regular review in order to align with community values and changing community needs, and to reflect changes in Council priorities. The performance of this POM will be reviewed when required, at a minimum of five year intervals, to ensure that community land is well maintained and provides a safe environment for public enjoyment.

Council may continue to acquire or divest land for the benefit of the community. Land may also come into council's ownership by dedication of land for open space. The appendices to this POM may be updated from time to time, reflecting significant changes to the condition of the community land, or to reflect new acquisitions or dedications of land.

The community will have an opportunity to participate in reviews of this POM.

2.4 COMMUNITY CONSULTATION

Early stakeholder engagement with Mindaribba Local Aboriginal Land Council (MLALC) and the Maitland Off Road Radio Controlled Car Club (MORCCC) occurred during April and May 2023 and was undertaken to inform the preparation of the draft POM.

The engagement entailed a self administered questionnaire and phone consultation with the MORCCC and the same self administered questionnaire, community meeting (organised by the MLALC) and a subcommittee meeting to discuss the work on the land and Aboriginal cultural heritage.

The outcomes of the consultation are summarised in Appendix 3.

In general, the MORCCC was supportive of the proposed upgrades to the Reserve while the MLALC was briefed on 9 and 12 May 2023 in relation to the draft POM and the proposed works to the land respectively.

Mindaribba LALC expressed disappointment that consultation regarding Aboriginal cultural heritage had not occurred earlier in planning for the Reserve upgrade. The LALC also advised that the recent changes to the site demonstrated a lack of understanding and consideration of cultural heritage and Aboriginal ownership.

A Heritage Interpretation Plan, developed by Council, has been provided to the MLALC to carry out consultation with the local Aboriginal community prior to the Interpretation Actions being further developed for the Reserve.

This early engagement feedback has informed the values, use, management and improvement of the land, in line with the categories and reserve purpose.

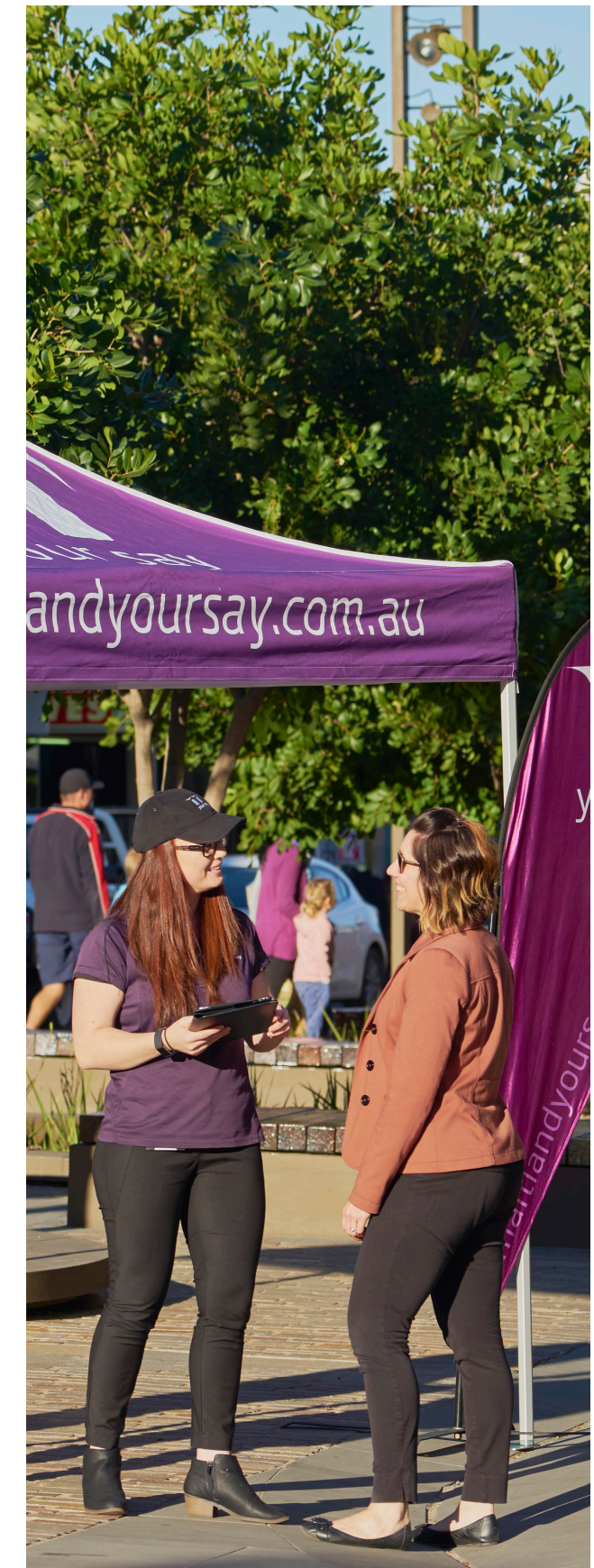
This POM was placed on public exhibition from [XX/XX/XXXX to XX/XX/XXXX], in

accordance with the requirements of section 38 of the Local Government Act 1993. A total of [insert details] submissions were received. Council considered these submissions before adopting the POM.

In accordance with section 39 of the Local Government Act 1993, prior to being placed on public exhibition, the draft POM was referred to the Department of Planning and Environment – Crown Lands, as representative of the state of NSW, which is the owner of the Reserve. Council has included in the plan any provisions that have been required by the Department of Planning and Environment – Crown Lands and received Minister's consent to adopt the POM.

The CLM Act and Regulation no longer require a public hearing if the community land categories assigned to Crown reserves are amended after Council's Notice of Initial Assignment. The LG Act does require a public hearing for council owned community land, or parts of community land where categories are assigned for the first time or amended.

There are no council owned parcels of community land covered by this POM and no public hearing is required for assignment of community land categories to Crown land.





03

Land Description



This Plan of Management covers the management of Harold Gregson Reserve, located at Horseshoe Bend, Maitland, and comprising three Crown reserves.

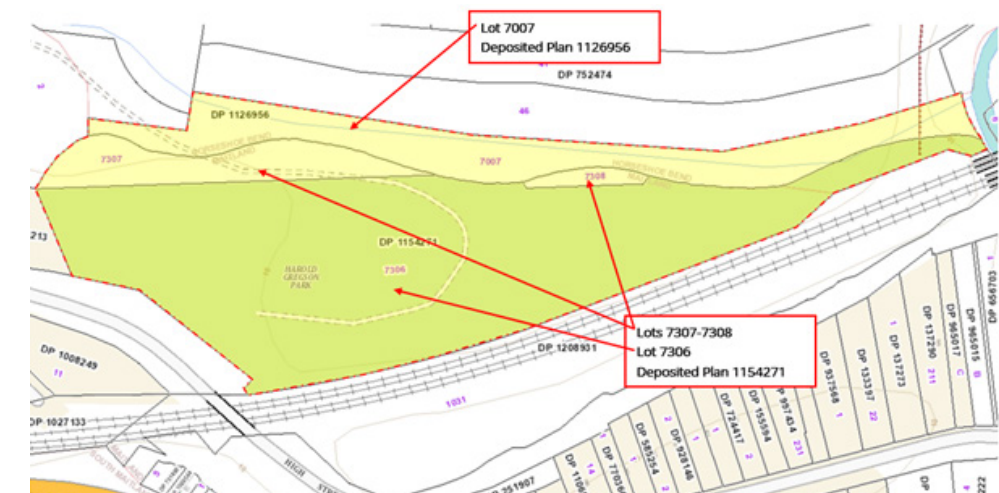
RESERVE NUMBER	REAL PROPERTY: LOT IN DEPOSITED PLAN	PURPOSE	CATEGORIES	AREA (HA)
D570021	Lot 7306 DP 1154271	Public Recreation	Park	4.175
R56647	Lots 7307-7308 DP 1154271	Drainage	Park	0.565
R41282	Lot 7007 DP 1126956	Drainage	Watercourse	1.235

The land is owned by the Crown and is managed by Maitland City Council as Crown land manager under the Crown Land Management Act 2016.

The land is bordered by the northern bank of Lynes Canal, High Street and the main railway line to the south, and Wallis Creek to the east, with High Street, commercial and residential properties to the west.

The extent of the site (outlined in red) and real property descriptions are shown in Figure 2.

Figure 2: Harold Gregson Reserve



Source: NSW Six Maps March 2023 and Council records

The site is situated near the former confluence of the Hunter River and Wallis Creek, which were known by local Aboriginal groups as Coonanbarra and Bomi respectively and has significance to the local Aboriginal community. Both watercourses have been altered through flood mitigation and engineering intervention, but they remain vital features in the Maitland landscape.⁴ The land has been used and occupied by Aboriginal people and carries with it custom, lore and dreaming and a value system based on the sustainability of their spiritual connection, belonging, obligation and responsibility to care for their land, their people and their environment.⁵

Table 1: Information about the reserves covered by this Plan of Management.

HAROLD GREGSON RESERVE - CROWN RESERVES			
Reserve Number	570021	56647	41282
Reserve Type	Dedication	Reserve	Reserve
Reserve Name	Harold Gregson Reserve		
Gazetted Date	11/7/1900	14/12/1923	23/01/1907
Management Type	Council Crown Land Manager	Council Crown Land Manager	Council Crown Land Manager
Manager	Maitland City Council	Maitland City Council	Maitland City Council
Purpose	Public Recreation	Drainage	Drainage
Lots	Lot 7306 DP 1154271	Lots 7307-7308 DP 1154271	Lot 7007 DP 1126956
Parish	Maitland	Maitland	Maitland
County	Northumberland	Northumberland	Northumberland
LGA	Maitland	Maitland	Maitland
Council	Maitland City Council	Maitland City Council	Maitland City Council
Suburb	Horseshoe Bend, Maitland	Horseshoe Bend, Maitland	Horseshoe Bend, Maitland
Area (m2)	41,740.76	5,649.48	12,350
LEP Zone(s)	RE1 Public Recreation	RE1 Public Recreation	RE1 Public Recreation
Assigned Category	Park	Park	Natural Area - Watercourse

Source: NSW Crown Land Manager Reserves Portal and Council records

This POM is specific to the land in Table 1. Contact Council or refer to Council’s website for information about other public land not listed above.

4 AECOM Review of Environmental Factors Harold Gregson Reserve (Sports Hub Stage 4) 2022
5 NPWS Aboriginal Cultural Knowledge Fact Sheet 1

3.1 LAND COMPRISING THE HABITAT OF ENDANGERED SPECIES OR THREATENED SPECIES

Section 36A(2) of the LG Act requires that a site specific POM be prepared for an area of community land, all or part of which consists of critical habitat.

Section 36B(3) requires that a site specific POM be prepared for community land, all or part of which is directly affected by a recovery plan or threat abatement plan.

The site comprises park area, including the skate park, a multipurpose court, radio controlled car track, amenities and grassed picnic and leisure areas. The site primarily consists of landscaped open grassed and treed areas with retained mature trees scattered throughout the centre and along the canal. The site also includes public vehicle access with boom gate to manage restricted entry, upgraded car park to the radio controlled car track.

Lynes Canal, which connects to Wallis Creek to the east, runs along the northern border of the reserve with agricultural land beyond. Surrounding land uses comprise business activities to the west, the Sports Complex to the north west, with mostly cleared agricultural land and rural properties on the other boundaries. The railway line forms a hard edge to the south.

No Ramsar wetlands were identified on or within 1km of the site, and no State Forest, National Parks or Wildlife Reserves are present on or within 1km of the site.

The watercourse category land has no identified Key Fish Habitat or threatened species within or surrounding the site.

There is no critical habitat or land directly affected by a recovery plan or threat abatement plan.

Harold Gregson Reserve is flood affected and has no known environmental attributes of significance. Adjoining the reserve is a local wildlife corridor, identified by Council, along Wallis Creek with an area of Hunter Valley Dry Rainforest south of the rail line. Refer to Figure 3 below.



Figure 3: Harold Gregson Reserve - Council Biodiversity layer 2023



Source: Maitland City Council April 2023





04

Basis of management

Maitland City Council intends to manage its community land to meet:

- Assigned categorisation of community land.
- The LG Act guidelines and core objectives for community land.
- Restrictions on management of Crown land community land.
- Council's strategic objectives and priorities.
- Development and use of the land outlined in Section 6 of the LG Act.

4.1 CATEGORISATION OF THE LAND

All community land is required to be categorised as one or more of the following categories. Where the land is owned by the Crown, the category assigned should align with the purpose for which the land is dedicated or reserved.

The LG Act defines five categories of community land:

- Park – for areas primarily used for passive recreation.
- Sportsground – for areas where the primary use is for active recreation involving organised sports or the playing of outdoor games.
- General community use – for all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
- Cultural significance – for areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
- Natural area – for all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

The land in the Harold Gregson Reserve is categorised into two community land categories: Park for most of the Crown reserve land in D570021 and R56647; and Natural Area Watercourse for most of the Crown reserve land in R41282. However, both categories are mapped in each of the reserves to varying degrees.

The categorisation of the land by real property identifiers (Lot and Deposited Plan) is shown in Table 1, as well as shown by map in Appendix 1.

4.2 GUIDELINES AND CORE OBJECTIVES FOR MANAGEMENT OF COMMUNITY LAND

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the relevant category of community land (see Categorisation of the land). Council may then apply more specific management objectives to community land, though these must be compatible with the core objectives for the land.

The guidelines for categorisation of community land are set out in the Local Government (General) Regulation 2021. The core objectives for each category are set out in the LG Act. The guidelines and core objectives for the Park and Natural Area - Watercourse categories are set out in section 6.1 and section 6.2 respectively of this Plan of Management.

Restrictions on management of Crown land

Council is the Crown land manager of the Crown reserves described in this POM in accordance with the legislation and conditions imposed by the Minister administering the Crown Land Management Act 2016. The use of the land described in this Plan of Management must:

- Be consistent with the purpose for which the land was dedicated or reserved.
- Consider native title rights and interests and be consistent with the provisions of the Commonwealth Native Title Act 1993.
- Consider the inchoate interests of Aboriginal people where an undetermined Aboriginal Land Claim exists.
- Consider and not be in conflict with any interests and rights granted under the Crown Land Management Act 2016.
- Consider any interests held on title.

This POM is to also be consistent with the principles and objectives of the CLM Act (see Appendix 4), and compliant with any CLM Act terms of appointment as CLM, or CLM land management rules.

There is one condition attached to the Crown land manager appointment notice for Council's Crown land management of Crown reserve R41282:

Management of Crown land must adhere to the code of conduct adopted under section 440 of the Local Government Act 1993.

There is one State wide Crown land management rule has application to Maitland Local government area (LGA).

This gazetted rule has been made under s.3.15 of the CLM Act and can be viewed in full at: Granting leases and licences for communication infrastructure related purposes on Crown land.

The Crown Land Management rule.

Crown land managers cannot, under any act (including the Local Government Act 1993), grant any lease or licence authorising:

- Communication the installation or construction of communication infrastructure on Crown land.
- The placement of infrastructure on Crown land.
- The use of communication infrastructure that is located on Crown land.
- Access to communication infrastructure that is located on Crown land.

Any company with a lease or license granted by the Minister for Communication Infrastructure may be able to sublet if permitted.

The Crown reserve land in reserves: D570021,

R56647 and R41282 is not burdened by any easements as identified on Deposited Plans. The Crown land is notified as being Crown land dedicated (D570021) and reserved (R56647 and R41282) for a purpose and that there are restrictions on transfer and other dealings under the Crown Land Management Act 2016 that may require the consent of the Minister.

4.4 COUNCIL'S STRATEGIC OBJECTIVES AND PRIORITIES

Maitland City Council, in consultation with the community, has developed the following strategies and plans to identify the priorities and aspirations of the community and the delivery of a vision for the future. They have a direct influence on the objectives, uses and management approach covered in this POM.



4.4.1 Maitland 10+ Community Strategic Plan 2022

Maitland +10 Community Strategic Plan (CSP) outlines what our community would like for our city over the next ten years, consistent with the State and local policy frameworks. It informs Council's Delivery Program, Resourcing Strategy and associated annual Operational Plan and budget.

The 10 year vision articulated in this plan is:



Let's Connect



Let's Create



Let's Sustain



Let's Lead

Together, we make Maitland.

We are a proud and changing community, celebrating our heritage and future potential.

Our housing choices are diverse, with education and job opportunities for all.

From parks to sport and culture, we have all that we need close to home.

The iconic Hunter River shapes our landscape, bringing both opportunities and challenges.



We aim to live sustainably, restoring our natural environment and reducing waste where we can.

Our leaders are always listening, and let the community know about decisions made.

The CSP is presented under four themes of: connect with each other, creating opportunities, living sustainably and leading together.

This Plan of Management will assist in achieving the following goals and strategies identified in the CSP and set out in Columns 1-3 of Table 2 with a final column showing how these may be implemented by this POM.

Table 2: How the POM contributes to Maitland +10

THEME	GOAL WE WANT	STEPS TOGETHER WE WILL	RELEVANCE TO POM
 <p>Let's connect with each other</p>	To stay friendly, happy and proud as our city grows.	Make our neighbourhoods great with spaces, activities and programs that connect us. Connect with each other through participating in local arts, cultural and library activities and programs. Take steps to feel safe wherever we are, any time of day or night.	The POM supports the use of the land to provide facilities, programs and activities for the wider community but particularly for youth. The provision of diverse, accessible, safe and shaded spaces will encourage activities and attract more people to the reserve.
	To acknowledge First Nations peoples and their stewardship of the land within our city.	Recognise and respect our First Nations peoples and their connection with the land and waterways for thousands of years.	This POM incorporates actions to include cultural naming, interpretation and education mechanisms reflective of our First Nations peoples and their connection to the land and waterways.
	To be healthy and active with access to local services and facilities.	Ensure the community and health services and facilities we need are available as our population grows and changes. Provide facilities that enable us to participate in recreational and sports activities, no matter our background, ability or age.	The upgraded public space provides a range of recreational areas and community infrastructure for multigenerational use, including pedestrian and cycle pathways to connect to sport and cultural precincts throughout Maitland city.
 <p>Let's live sustainably</p>	To love and look after our great outdoors.	Tread lightly while enjoying our areas of bushland and open space. Protect our native plants and animals. Improve the quality of our waterways and wetlands.	While the canal's function is primarily flood control, the canal and adjoining land is to be protected as a Natural Area Watercourse and plantings undertaken overtime to recreate the original vegetation of the area.
	To be ready in case of more hot days, storms and floods.	Understand climate risks and our impacts and take action against these.	Maitland is located on the Hunter River floodplain. Storm and flood events are carefully managed. Protection and access for infrastructure maintenance of the canal are incorporated into this POM.

4.4.2 Maitland Local Strategic Planning Statement 2020

The Maitland Local Strategic Planning Statement (LSPS) sets out a 20 year land use vision for the LGA and outlines how this growth and change will be sustainably managed into the future.

It draws together strategic planning priorities of the State, Hunter Region and Greater Newcastle metropolitan area, and our own local priorities articulated in the Maitland 10+ Community Strategic Plan and explains how these priorities are to be delivered and implemented at a local level.

One of the key local planning priorities for Council is to align local infrastructure delivery to support planned growth and community needs. Under the NSW Public Spaces Legacy Program, Council secured funding towards the upgrade of the Harold Gregson Reserve and surrounding land. These works include improved lighting for safety and security, infrastructure for recreational activities and community led events.¹

This POM will assist in achieving the priorities set out in Table 3.

Table 3: How the POM contributes to Local Strategic Planning Statement priorities

MAITLAND STRATEGIC PLANNING STATEMENT 2020 – PLANNING PRIORITIES	POM RESPONSE
No. 4. Protect, conserve and celebrate the city's Indigenous and colonial cultural heritage.	While Council has committed to undertaking an LGA wide Aboriginal and Rural Heritage Study, in partnership with the Mindaribba Local Aboriginal Land Council, Harold Gregson as part of the Hunter River floodplain, provides opportunity to celebrate Indigenous use of the land though interpretation, signage, structures and programs. There are no known colonial heritage items on the land.
No. 6. Plan for healthy, culturally rich and socially connected communities.	The provision of more passive recreation facilities and upgraded facilities will increase opportunities for people to connect and be active.
No. 10. Protect, conserve and enhance our natural environment including waterways, floodplains and wetlands.	While Harold Gregson Reserve is highly modified it contains patches of mature native trees, without understorey, which are to be retained. Lynes Canal forms the site's northern boundary and it and the land immediately adjoining are to be managed as a Watercourse given its location in the floodplain of the Hunter River and its role in storm and flood management.
No. 14. Manage energy, water and waste efficiently to support sustainability.	Any buildings, structures, roads, carparking or pathways will consider sustainable practices.

¹ AECOM Review of Environmental Factors Harold Gregson Reserve (Sports Hub Stage 4) 2022

No. 15. Align local infrastructure.	
Delivery to support planned growth and community needs.	The POM provides the framework for the future development, leasing and licensing of buildings, structures and activities on a key recreation and open space area of Central Maitland.
No. 17. Provide good quality, accessible and appropriate community infrastructure across the city.	The proposed 2023 upgrades to the land will make Harold Gregson Reserve a usable green open space with a range of recreation facilities accessible for multigenerational use.

4.4.3 Maitland Place Activation Strategy 2016

The Place Activation Strategy was developed to guide opportunities to create a greater sense of place, generate social cohesion, improve safety and bring life back to the streets and public places of Maitland. It sets out strategies and actions on how this may be achieved.

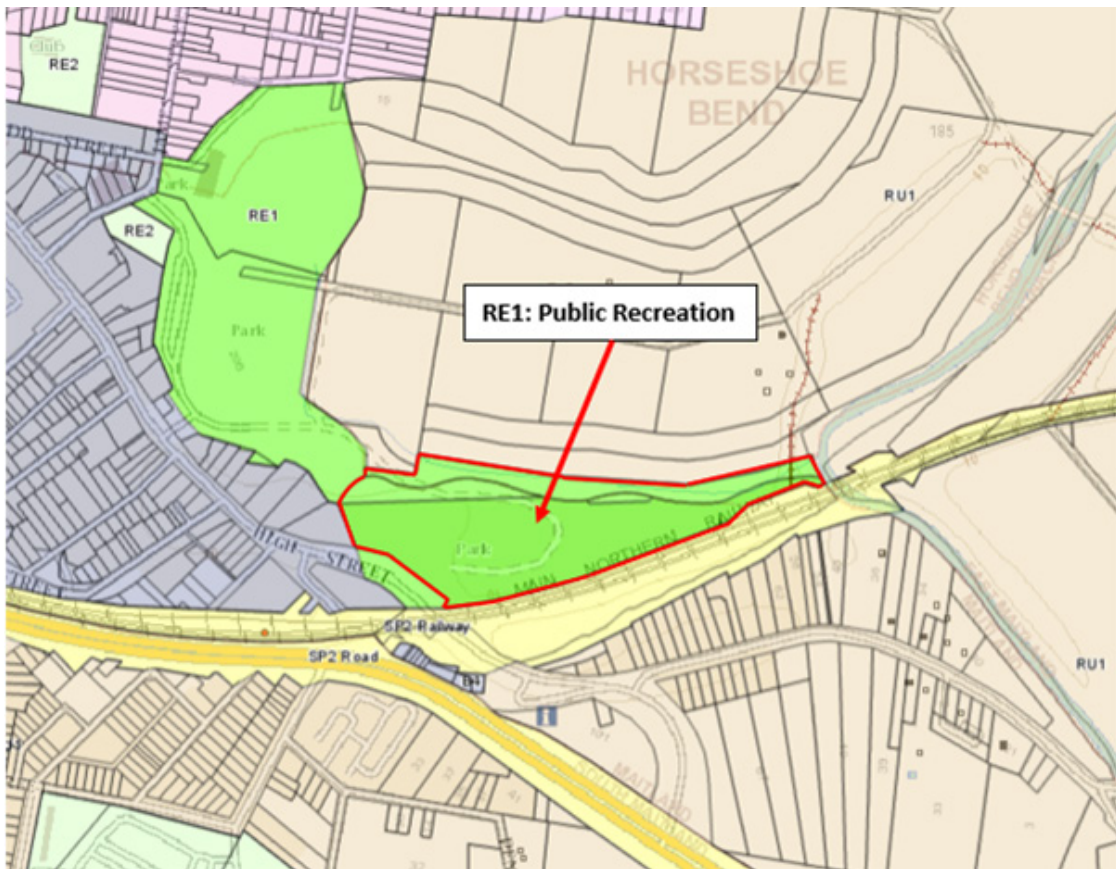
Harold Gregson Reserve, while not located within the core activation precinct, is identified on page 41 of this strategy as a key place in central Maitland along with several other places. Linking, improving and activating these places is a goal of this and several Council strategic documents.



4.4.4 Environmental Planning and Assessment

The Crown Land covered by this POM is zoned RE1 Public Recreation under Council's Local Environmental Plan (LEP) and shown in Figure 4 outlined in red.

Figure 4: Land use zone for Harold Gregson Reserve



Source: NSW E-Planning Spatial Viewer March 2023

The objectives and permissible uses and developments for the Public Recreation zone are listed in Table 4.

Table 4: Maitland LEP 2011 land use table for the RE1 Public Recreation zone

ZONE RE1 PUBLIC RECREATION
1. Objectives of zone <ul style="list-style-type: none">To enable land to be used for public open space or recreational purposes.To provide a range of recreational settings and activities and compatible land uses.To protect and enhance the natural environment for recreational purposes.
2. Permitted without consent Environmental facilities; Environmental protection works.
3. Permitted with consent Aquaculture; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Centre based child care facilities; Charter and tourism boating facilities; Community facilities; Information and education facilities; Jetties; Kiosks; Markets; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Signage; Water recreation structures; Water supply systems.
4. Prohibited Any development not specified in item 2 or 3.

Development on the land will need to be consistent with these objectives and other planning controls and plans.



5.1 CURRENT USE OF THE LAND

Each relevant category section of this Plan of Management contains information about the existing use of the land, including: condition of the land and structures, use of the land and structures, and current leases and licences on the land.

5.2 PERMISSIBLE USES / FUTURE USES

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to Maitland City and wider LGA.

The intrinsic value of community land is also recognised, as is the important role this land plays in biodiversity conservation and ecosystem function.

Maitland City Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within buildings, swimming pools, and recreational and sporting facilities in particular, Maitland City intends to permit and encourage a broad range of appropriate activities.

The general types of uses and the forms of development generally associated with those uses, are set out in tables in the relevant category section in this Plan of Management for:

- Park; and
- Natural Area – Watercourse.

5.3 LEASES, LICENCES AND OTHER ESTATES

Council may enter into or create a range of leases, licences, other estates, management agreements, and/or booking arrangements (including permits), in order to authorise the use of the land and/or buildings appropriately and effectively.

These arrangements are intended to support and encourage a range of uses, which enhance the level of activation and enjoyment of the space, such as refreshment facilities, mobile vending, recreational equipment sale or hire (e.g. bicycle hire) events or community uses.

Each proposal will be reviewed to ensure it is compatible with the relevant land, Council policies and Local Environment Plan, and community feedback on proposals when required.

Council is responsible for bookings of community land and reserves in its LGA and, generally, Council seeks to encourage a broad and appropriate range of uses within its area to meet community need and expectations.

A range of policies and required forms address specific types of use approvals and in greater detail. Applicants should check Council's website maitland.nsw.gov.au for up to date information.

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a POM. The term 'other estates' includes other interests, charges, rights or titles in relation to the land (an example is easements).

As a general rule, express authorisation of leases, licences (including hirings and permits) or other estates should include:

- The type of arrangement authorised – where Council may authorise leases and/or licences and/or other estates.

- The land or facilities to be covered – where Council may allow leases and/or licences and/or other estates on all or some of the land and facilities; and
- The purpose for which leasing or licensing will be granted – Council may choose to allow leasing for community purposes, or more limited purposes such as sports or childcare facilities.

Under Sections 45 to 47D of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this POM and the capacity of the community land itself and the local area to support the activity.

A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

Section 46 LG Act permits Councils to grant a lease, licence or other estate in respect of community land for:

- The provision of public utilities and works associated with or ancillary to public utilities; or
- The purpose of providing pipes, conduits or other connections under the surface

of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider.

5.3.1 Maximum time period for leases or licences over any community land covered by this Plan of Management

The maximum period for any lease or licence is 30 years (including any option) and Minister's consent is required if the lease/ licence exceeds 21 years (Sect 47(5)(b)). Unless exempt by the regulations, all such leases, licences or grant of other estate must be advertised and the community notified in accordance with the provisions of sections 47 and 47A of the LG Act.

The grant of any tenures, e.g: tenure terms and limits, tendering, and notification and approvals, will be subject to the provisions of Part 2, Division 2 of the LG Act.

Council must call tenders for leases or licences over five years, unless the lease or licences is to be granted to a non-profit organisation, (s.46A).

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in cl.26, LG Regulation.

Council may only grant exclusive occupation of community land through a lease, licence or other estate.

For leases between 5 and 21 years Council must:

- Give public notice of the proposal.
- Place a notice of the proposal on the land.
- Notify owners adjoining the land.
- Notify persons living in the vicinity of the land if Council believes that the land 'is the primary focus of the person's enjoyment of community land'.

- Consider submissions made about the proposal.
- Refer the proposal to the Minister for Local Government if Council has received an objection to the proposal.

If an objection has been received, Council cannot grant the lease etc but must refer the proposal to the Minister for approval.

5.3.2 Leases and Licences for Natural Areas

The LG Act imposes restrictions on the ability of Council to grant leases, licences or other estates over community land categorised as Natural Area and further subcategorised as Bushland, Wetland, Escarpment, Watercourse or Foreshore.

Council may only grant a lease, licence or other estate over Natural Area category land if:

- It is authorised under the POM;
- The purpose is consistent with the core objectives for that category of land;
- The uses of the land are consistent with the reserve's purpose(s); and
- The lease/ licence is for a purpose specified in section 47B of the LG Act (as below).

Section 47B restricts the grant of a lease, licence or other estate that would enable the erection of structures or buildings, to only the use or erection, of these listed below:

- Walkways;
- Pathways;
- Bridges;
- Causeways;
- Observation platforms; or
- Signs.

Separate from the above, Council is able to authorise the erection and use of buildings or structures for the following purposes:

- Information kiosks;
- Refreshment kiosks (but not restaurants);
- Work sheds or storage sheds required in connection with the maintenance of the land; or
- Toilets or rest rooms.

While these structures are permitted to be constructed on community land categorised as Natural Area, a development application may also be required prior to their construction in accordance with the Environmental Planning and Assessment Act 1979.

It is noted however, that the legislation does not restrict the use of the land or the issue of a lease or licence in a Natural Area category for activities such as walking tours, environmental tours, bushcare, etc.

There are no existing leases or licences for occupation and use of Harold Gregson Reserve at the time of adoption of this plan. The Maitland Off Road Radio Controlled Car Club Inc. have an annual hiring agreement with Council.

When issued licences for these services are set by authorised Council forms with fees and charges set annually as part of Council's annual budget processes.

5.3.3 Leases and licences authorised by the Plan of Management

This Plan of Management expressly authorises the issue of leases, licences and other estates over the land covered by the Plan of Management, provided that:

- The purpose is consistent with the purpose for which it was dedicated or reserved.
- The purpose is consistent with the core objectives for the category of the land.
- The lease, licence or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government (General) Regulation 2021.
- The issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993 (Commonwealth).
- Where the land is subject to a claim under the Aboriginal Land Rights Act 1983 the issue of any lease, licence or other estate will not prevent the land from being transferred in the event the claim is granted.
- The lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government (General) Regulation 2021.
- The issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Tables in the relevant category sections of this Plan of Management further identify the purposes for which leases and licences may be issued over the reserves identified in this Plan of Management.

5.3.4 Short Term Licenses

Short term licences and bookings may be used to allow Council to program different uses of community land at different times, allowing the best overall use.

Short term licences are authorised for the purpose of:

- The playing of a musical instrument, or singing, for fee or reward.
- Engaging in a trade or business.
- The delivery of a public address.
- Commercial photographic sessions.
- Picnics and private celebrations such as weddings and family gatherings.
- Filming sessions.
- The agistment of stock.

Fees for short term casual bookings will be charged in accordance with Council's adopted fees and charges at the time.

Section 2.20 and Section 3.17 of the CLM Act also permits Crown land managers to grant a short term licence over dedicated or reserved Crown land (Crown reserves) for any prescribed purpose, as set out in Clause 31 of the Crown Land Management Regulation 2018.

Short term licences (up to a 12 month period) are authorised under Section 2.20 and Section 3.17 of the CLM Act on Crown reserves for the following purposes:

<ul style="list-style-type: none">• Access through a reserve• Advertising• Catering• Community, training or education• Emergency occupation• Entertainment, including low scale performance or art e.g. performance arts• Environmental protection, conservation or restoration or environmental studies• Exhibitions• Filming (as defined in the LG Act)• Functions• Hiring of equipment• Low intensity commercial activities (e.g. commercial fitness training)	<ul style="list-style-type: none">• Markets• Meetings, public address (speeches) and/or distributing pamphlets e.g., charity, environment groups• Mooring of boats to wharves or other structures• Shows• Site investigations• Stalls for community or charity fundraising• Sporting and organised recreational activities• Storage
--	--

In addition to any other condition to which a short term licence granted under section 2.20 of the CLM Act is subject, the condition that the relationship of landlord and tenant is not created between the parties.

The period of one year is prescribed as the maximum term for which a short term licence may be granted under section 2.20 of the CLM Act (including any further term available under an option or holding over provision).



5.3.5 Native Title and Aboriginal Land Rights Considerations In Relation To Leases, Licences and Other Estates

When planning to grant a lease or licence, Council must comply with the requirements of the Commonwealth Native Title Act 1993 (NT Act) and have regard for any existing claims made on the land under the NSW Aboriginal Land Rights Act 1983.

The CLM Act requires native title managers to provide written advice to the Council Crown land manager when the Council Manager intends to perform one of the following functions in relation to the Crown land it manages or owns:

- Grant leases, licences, permits, forestry rights, easements or rights of way;
- Mortgage the land or allow it to be mortgaged;
- Impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
- Approve (or submit for approval) a Plan of Management for the land that authorises or permits any of the kinds of dealings referred to above.

Native Title rights must be assumed to remain in existence if the relevant land is not 'excluded land' under the Crown Land Management Act 2016, because native title rights have not been:

- Extinguished by Native Title Tribunal Determination under the NT Act; or
- Surrendered through an Indigenous Land Use Agreement (ILUA); or
- Protected under section 24FA of the NT Act; or
- Compulsorily acquired; and

- A native title certificate has not been issued under the CLM Act.

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. As such, the written advice of a native title manager is required. The advice must state if the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act occurring.

It is the role of Maitland City Council's engaged or employed native title manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act (see Appendix 5 for more information).

The Aboriginal Land Rights Act 1983 (ALRA) was introduced in NSW to compensate Aboriginal people in NSW for dispossession of their land. Aboriginal communities in NSW can claim land to compensate them for historic dispossession of land and to support their social and economic development.

The ALRA enables Local Aboriginal Land Councils (LALCs) to claim Crown Land, that is, land in NSW that is owned and managed by the State Government. LALCs can have land transferred to them in freehold title if at the time of the claim the land is, among other requirements:

- Able to be lawfully sold or leased;
- Not lawfully used or occupied;
- Not needed nor likely to be needed as residential lands;

- Not needed nor likely to be needed for an essential public purpose including nature conservation; and
- Not impacted by Native Title (registration application or determination).

Any actions that would burden a title over land and affect a freehold transfer of land, such as entering a lease or construction and development, may not be permitted whilst the land is subject to an unresolved Aboriginal land claim.

The Crown land in the three Crown reserves comprising the Harold Gregson Reserve is not subject to any current land claim.





06

Management of Land by Category

6.1 PARK

The land where the category of Park is assigned is in Crown reserves D570021 and R56647. However, due to the curvilinear nature of the lots and reservation, parts of these reserves contain Natural Area Watercourse.

Similarly, R41282 is also part Park but is predominately over the Canal and also categorised as Natural Area Watercourse. These categories do not overlap. Refer to Appendix 1 for the category map.

The Natural Area Watercourse category is addressed in section 6.2 of this Plan of Management.

The Harold Gregson Reserve is located at the south eastern end of the Maitland Regional Sports Complex which comprises the Maitland No. 1 Sportsground and Regional Athletics Centre, and forms part of the Maitland Regional Sports Precinct.

Harold Gregson is an area of green open space with community infrastructure that caters for multigenerational users and meets the community's growing needs for youth recreation activities, radio controlled car activity, mixed ages play spaces, general community leisure and events, shared pedestrian/cycle pathways, and extensive landscaping, public domain furniture and lighting.

The reserve includes the following key features:

- Youth space including skate park, a multi-purpose court, seating areas;
- Adventure play space with use of natural elements;
- A track for off road radio controlled cars;
- A community events lawn with permanent stage for events such as markets and live music;
- Infrastructure for a temporary stage, including power and water for larger events;
- Amenities building, shade structures and BBQ facilities;
- Vehicle access road with boom gate to manage restricted entry;
- Upgraded car park south of the radio controlled car track;
- Shared pedestrian/cycle pathways; and
- Landscaping, public domain furniture and lighting.²

² Review of Environmental Factors Harold Gregson Reserve (Sports Hub Stage 4) 2022 prepared by AECOM

6.1.1 Guidelines and Core Objectives

Parks are defined in clause 104 of the LG (General) Regulation as land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.

The core objectives for parks, as outlined in Section 36G of the LG Act, are to:

- Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.
- Provide for passive recreational activities or pastimes and for the casual playing of games.
- Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

6.1.2 Key issues

This section approaches management of the land in the Park category through three primary areas of focus: planning and design, management framework, and development and use.

a) Planning and Design

- Landscape character.
- Public access and multiple use.
- Equity of access.
- Relationship to surrounding land uses.
- Culture and heritage.

b) Management Framework

- Environmental management and sustainability.

- Safe maintenance and upgrade of land, structures and facilities.
 - Booking systems, fees and charges, conditions of hire.
 - Amenity provision.
 - Lighting, fencing and security.
 - Recreation facilities maintenance.
 - Safety and risk management.
- c) Development and Use
- Future development and use.
 - Buildings, facilities and infrastructure.
 - Event management Event or casual bookings.
 - Personal trainers, and small event bookings.
 - Dogs in public places.
 - Signage and advertising.
 - Traffic, vehicular access and parking.
 - Permitted and prohibited e.g: alcohol free areas.
 - Access to adjacent infrastructure and land by other public entities.

Aboriginal cultural heritage covers the whole of the reserve, and the following section applies equally to land categorised as Park and land categorised as Natural Area Watercourse.

Pre and post 1788 history and cultural landscapes

‘The Wonnarua people – the ‘people of the hills and the plains’, are the First Peoples and traditional custodians of the lands within the Maitland LGA. Wonnarua people have been living in the Hunter Valley for tens of thousands of years and have maintained a strong sense of cultural identity despite the impact of colonisation on their traditional lands and culture.’ (Maitland City Council 2020 LSPS p. 11)

Around 1816, cedar logging groups from the Newcastle convict settlement started working in the area. A few years later, convict farmers were allowed to select land. As white settlers occupied the area for farming, logging, mining and quarries, many Aboriginal people were displaced and forced to leave. They also suffered from massacres, disease and change of diet, catastrophically impacting their social and family groups, their culture and way of life.

Harold Gregson Reserve is still used today by the local Aboriginal community and has local members with indigenous ownership of the land and other elders with memory of growing up and playing in the area.

During the Great Depression, the land was a shared space comprising an Aboriginal camp with non-Aboriginal people.

Several of the trees on the land have special meaning to the community and the ground beneath the tree(s) could contain artifacts. A song line runs along the rail line and the landscape has cultural meaning.

Today, the local community are seeking a greater role in management through dialogue and agreement on the way the space is valued, configured and used.

A place for Aboriginal storytelling, custodianship and engagement with traditional lands

The Reserve subject to this POM can be a valuable resource to learn and practice culture and care for Country.

Although the Reserve is altered in its landform and use, the Dreaming attached to the land and songlines remains and can be made more present through interpretation and planned activities.

The location of the Reserve on the High Street provides opportunity to celebrate and recognise the history, culture, and achievements of Aboriginal and Torres Strait Islander peoples every year during NAIDOC (National Aborigines and Islanders Day Observance Committee) week.

Future plantings at the Reserve could include many of the plants that were used for food, bedding, medicine, implement making and ceremonial purposes that are valuable to Aboriginal people today in their practice and teaching of culture. Furthermore, there is an opportunity to name or rename the Reserve, places and walking trails in Wonnarua language.

Most importantly, the cultural knowledge passed onto the wider community about this site, belongs to this site and cannot be used for other similar sites or purposes, as every place has its own unique characteristics, landform, vegetation and cultural heritage.

6.1.3 Management Framework for Reserves Categorised as Park

The Park category land, facilities and infrastructure are managed and maintained by Council.

Maintenance of all landscape, facilities and infrastructure is undertaken by Council's Infrastructure and Works Group with licensing and hiring, and customer liaison managed by Council's Culture, Community & Recreation Group.

The use of the landscape, facilities and infrastructure is hired out to individuals, commercial entities and user groups by Council on a casual permit or hire system. This approach assists Council and the community to manage demand and minimise conflict between users. Council's fees and charges for

hiring and use of the Park land are approved and published annually and available on Council's website.

6.1.4 Development and Use

Section 36(3A)(b) of the LG Act requires that a site specific POM, such as this POM, must specify the purposes for which the land, and any such buildings or improvements, as well as future uses and developments, will be permitted to be used, and describe the scale and intensity of any such permitted use or development.

The permissible uses of Crown reserves are required to align both with the Reserve purpose and the core objectives of the assigned categorisation.

Table 5 specifies the authorised permissible uses and activities, as well as developments for which the land, and any such buildings or improvements, that may be undertaken in the Park category area, by Council, or lessees, licensees or casual hirers consistent with their user agreements, following Council assessment, approvals and any booking or hire arrangements established by, or with the agreement of Council.

The Park category land will be used in future for general community recreation, small personal and a range of community events, with public right of access to all outdoor areas, limited only by booked or licensed uses.

Facilities for recreation include an off-road remote controlled car track, skate park, a multi-purpose ball court, adventure play space, a community events lawn with permanent stage for events such as markets and live music. The Reserve infrastructure also provides a temporary stage, including power and water for larger events, amenities buildings, shade structures, seating areas and BBQ facilities.

Vehicle access is via a road with boom gate to manage restricted entry. Shared pedestrian/cycle pathways link with the surrounding

pedestrian/cycle pathways and the Regional Sports Complex.

The scale and intensity of these permissible uses and developments will be determined in context with this Plan of Management, Council assessment and development approvals, leasing, licensing and booked uses and events that are consistent with the Reserve purposes, category core objectives and any identified carrying capacity of the proposed site or locations.

6.1.5 Current Use of the Land

Condition of the land and structures

The land, structures and utilities have been recently constructed, redeveloped or upgraded and are all in new or very good condition. Refer to Appendix 2 for a full condition description of buildings and structures.

An AHIMS search concluded that no items of Aboriginal heritage are located on the subject site nor are there any colonial heritage items or heritage conservation areas.

Use of the land and structures

The land is used by an off road remote controlled car club, local youth use the skate park and ball court. Children and parents/carers use the adventure play space and the community events lawn is used by the wider community as markets and live music as well as informal recreation activities. The temporary stage and events lawn is also available for larger events.

General community recreation use is supported by the amenities buildings, shade structures, seating and BBQ facilities and the pedestrian/cycle pathways.

There are no licences or permits issued for use and occupation of the free five RV parking spaces used for overnight stays, permitted by Council through the use and provisions of Cls 77 and 78 of the Local Govt (Manufactured

Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

The Australian Rail and Transport Corporation (ARTC) and the Department of Planning and Environment (DPE) have functional interests in access through the site for the maintenance of and access to infrastructure adjacent to the Reserve. Council undertakes maintenance of the canal.

The Main North Railway Line forms the site's south eastern boundary and there are two gated access points to the rail corridor. These are used periodically for access by the ARTC.

A levee incorporates a floodgate that requires periodic access by DPE for maintenance at the confluence of the canal and Wallis Creek to the east of the site boundary.

The site is crossed by a high voltage line (Ausgrid) that travels from High Street, entering the site at the south western corner (Pole HR62008) to a point just north of the Maitland Off Road RC Club track (Pole HR62012) then across the northern drainage reserve and Lynes Canal in a north easterly direction. This high voltage line will require access for maintenance and specific safe work near powerlines requirements and protocols.

Current leases and licences

There are no existing leases or licences for occupation and use of Harold Gregson Reserve at the time of adoption of this plan.



6.1.6 Permissible Uses / Future Uses

The general types of uses which may occur on community land categorised as Park and the forms of development generally associated with those uses, are set out in detail in Table 5. The facilities on community land may change over time, reflecting the needs of the community.

Table 5: Permissible use and development of community land categorised as Park

PURPOSE/USE, SUCH AS	DEVELOPMENT TO FACILITATE USES, SUCH AS
<ul style="list-style-type: none">• Active and passive recreation including children's play and cycling• Skate park facilities• Remote controlled car facilities including track• Group recreational use, such as picnics and private celebrations• Eating and drinking in a relaxed setting• Publicly accessible ancillary areas, such as toilets• Festivals, parades, markets, musical events and performances, fairs, exhibitions and similar events and gatherings• NAIDOC week celebrations and rally• Cultural heritage interpretation and landscape features• Low intensity commercial activities (for example recreational equipment hire)• Sale or provision of food and beverages• Meetings (including for social, recreational, educational or cultural purposes)• Leisure or training classes• Filming and photographic projects• Busking• Public address (speeches)• Dog leash free areas• Recreation vehicle (RV) use in designated areas• Access to public infrastructure for maintenance and approved development <p>Note: Some of the uses listed above require a permit from Council.</p>	<ul style="list-style-type: none">• Development for the purposes of improving access, amenity and the visual character of the park, for example paths, public art, pergolas• Development for the purposes of active informal and organised recreation such as:<ul style="list-style-type: none">- play equipment;- skate park facilities;- remote controlled car facilities;- multi-purpose ball courts;- exercise equipment;- pedestrian and bicycle paths and facilities such as bike racks; and- other community activities such as bocce courts• Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas, temporary stages and waste management facilities• Café or refreshment areas (kiosks) including external seating• Lighting, seating, toilet facilities, paved areas, hard and soft landscaped areas• Storage sheds for Council maintenance or works• Storage ancillary to sporting and recreational uses, community events or gatherings, and public meetings• Car parking and loading areas• Recreation vehicle (RV) designated areas• Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment

PURPOSE/USE, SUCH AS	DEVELOPMENT TO FACILITATE USES, SUCH AS
	<ul style="list-style-type: none">• Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment• Heritage and cultural interpretation, including signage, place names, indigenous food gardens, etc• Advertising structures and signage (such as A-frames and banners) that:<ul style="list-style-type: none">- relate to approved uses/activities- are discreet and temporary- are approved by Council• Water saving initiatives such as stormwater harvesting, rain gardens and swales• Energy saving initiatives such as solar lights and solar panels• Locational, directional and regulatory signage

6.1.7 Express Authorisation of Leases, Licences and Other Estates - Park

This Plan of Management expressly authorises the issue of leases, licences and other estates over the land categorised as Park, listed in Table 6.

Table 6: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Park.

TYPE OF TENURE ARRANGEMENT	MAXIMUM TERM	PURPOSE FOR WHICH TENURE MAY BE GRANTED
Lease	Five years	<ul style="list-style-type: none">Café/kiosk areas, including seating and tablesManagement and use of remote controlled car facilitiesHire or sale of recreational equipment
Licence	Five years	<ul style="list-style-type: none">Outdoor café/kiosk seating and tablesManagement of tracks, court or similar facilitiesHire or sale of recreational equipmentAccess to public infrastructure for rail, water or flood managementFestivals, celebrations and community events
Short term licence	One year	<ul style="list-style-type: none">Community events and festivalsPlaying a musical instrument, or singing for fee or rewardPicnics and private celebrations such as weddings and family gatheringsFilming, including for cinema/televisionConducting a commercial photography sessionPublic performances including music and staged eventsEngaging in an appropriate trade or businessDelivering a public addressCommunity eventsFairs, markets, auctions and similar activities
Other estates		This POM allows Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of the council or public utility provider on the community land in accordance with the LG Act.

6.1.8 Action Plan

Section 36 of the LG Act requires that a POM for community land details:

- Objectives and performance targets for the land.
- The means by which Council proposes to achieve these objectives and performance targets.
- The manner in which Council proposes to assess its performance in achieving the objectives and performance targets.



Table 7 sets out these requirements for community land categorised as Park.

MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
1. PLANNING AND DESIGN			
1.1 Landscape Character	Implementation of Reserve landscape master plan.	Development of Reserve is in accordance with approved landscape master plan.	Review of development proposals for consistency with landscape master plan prior to approvals and commencement.
	Implementation of Reserve Heritage Interpretation Plan.	Development of Reserve is in accordance with approved Heritage Interpretation Plan, incorporating actions and recommendations from Mindaribba LALC.	Review of development proposals for consistency with Heritage Interpretation Plan prior to approvals and commencement.
	Support of the existing native trees and planting.	Retain existing trees and companion under storey/planting cognisant of any significant trees of cultural heritage landscape value. Plant or regenerate endemic plant species to complement and support existing.	Retention of existing native vegetation subject to approved development consents. Knowledge and recognition of trees of Aboriginal cultural significance. Growth in extent and quality of native vegetation cover.
	Trees and shrubs health maintained, and public risk managed.	Vegetation management continues to incorporate environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity; community health benefits such as shade and aesthetic landscape benefits. Regular program of tree and shrub maintenance to ensure healthy and safe vegetation.	Council considers report on vegetation management, retention and improvement of existing vegetation on a bi-annual basis. Relevant Council Director approves maintenance program and is accountable for any required reporting on outcomes.
	Outdoor fixtures – seats, tables, bins, provided where land areas are associated with Reserve facilities.	Review areas associated with facilities to evaluate and implement outdoor fixture provision.	Installation of park and outdoor fixtures, including play, leisure and health equipment is provided consistent with any specific Council policies.
	Shade and or shelter (as required) provided at all facilities including playground.	Review areas associated with facilities to evaluate shade needs and provision either structures or tree plantings. Shade/shelter provided or permitted at the car club track facilities: drivers' stand and pitting areas for hot or inclement weather.	Installation of shade structures or increased use of shade trees to meet shade and sun protection needs. Installation of shade/shelter at car club track drivers' stand and pitting areas.
	Use public art, heritage and flora and fauna interpretation to create points of interest within the Reserve.	Continued program of public art, heritage and flora and fauna interpretation to create points of interest.	Capital Works budget allocations.
1.2 Public access and multiple uses	Limit exclusive uses and ensure public accessibility and multiple uses of land in any user agreements.	Include conditions in user agreements and licences that provide for multiple uses and public accessibility where safe to permit.	Inclusion of terms in tenure and use agreements. Publication and use of licence or booking agreements that meet objectives.
	Ensure high quality facilities that service needs and satisfy community expectations.	Undertake user satisfaction surveys.	User satisfaction surveys conducted.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
1.3 Equity of access at reserve facilities	Increase suitable multiuse activities across facilities and land.	Actively search for new events and users to bring to the facilities.	Development of plan that guides the intensity of use for events and activities for hierarchy of parks.
	Ensure security of tenure for the users of the facilities in precinct with agreed and documented permitted uses and allow wide community access to the facilities that are mutually compatible with any tenured uses.	Any future leases and licenses comply with the requirements of the Local Government, Crown Land Management and Native Title Acts.	The number and type of leases or licenses issued for the facilities are implemented and reviewed to ensure compliance.
	Compliance of access pathways and ingress/ egress points, toilets, change rooms and associated amenities infrastructure for disabled and equitable access.	Annual audit of all public use, visitor and play/activity facilities to evaluate equitable access and maintenance or upgrade needs for compliance with State requirements. Audit of all paths and access ways for trip hazards and to ensure equitable and stable uses.	Annual amenities equitable access audit and report and response actions reported to Council or relevant Council Director.
	Ensure disabled and equitable vehicular access.	Identify disability and/or limited mobility parking spots.	Installation of disability and/or limited mobility parking spots.
	Investigate provision of all-inclusive and accessible play equipment.	All-inclusive and accessible play equipment need and sites investigated.	Provide for identified all ability and equitable access facilities at Reserve.
	Ensure all ability and equitable access meets user needs and community expectations.	Undertake user satisfaction surveys.	User satisfaction surveys conducted.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
1.4 Relationship to surrounding land uses	Create a strong relationship between the Reserve and the adjacent Maitland Regional Sports Precinct.	Integration of precinct and Reserve through information and promotion, path and cycleways, programs and events.	Demonstrated development of information and promotion, path and cycleways, programs and events.
	The Reserve is easy to find, use and is connected with designs prepared for integrated pedestrian and bicycle pathways between the Reserve and nearby facilities.	Preparation of wayfinding strategies for pedestrian and bicycle pathways and signage between Reserve and nearby facilities and Main Street activities.	Budget and resources identified to complete wayfinding strategies approved by Council. Wayfinding elements are prioritised and installed.
	Better connections to local walking and cycling links.	Integrate the Reserve with local walking and cycle paths and tourist routes. Identify major pedestrian routes between urban areas, residences and school, and reinforce the safety and equitable access quality of these links.	Demonstrated integration of walking and cycle paths and pedestrian ways.
	Establish information and guidance at key entry points.	Identify key access points within Reserve/park and landscape plan to provide park gateways, signage and user information.	Key access points identified and signage erected.
	Manage event and activity noise, traffic, waste management and visitor number issues for local and nearby residents.	Prepare and implement event user agreements (licences or permit) system. User agreements include conditions to limit impacts from noise, rubbish, traffic. Signage at community events area to inform of desirable and required behaviour.	Licences published and used with conditions to limit or reduce impacts from noise, rubbish, traffic. Signage erected.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
1.5 Culture and heritage	Ensure Aboriginal cultural heritage and landscape is honoured in the Reserve.	Consult with local Aboriginal communities and Land Council to identify opportunities to recognise, incorporate and interpret Aboriginal cultural heritage. Ensure local Aboriginal input is incorporated into the Heritage Interpretation Plan and its actions. Implement the Heritage Interpretation Plan.	Consultations held and a dialogue and agreement on the way the space is used and managed is investigated and commenced. Outcomes implemented consistent with Heritage Interpretation Plan and consultations including cultural naming, interpretation, use and education.
	Recognise, maintain and interpret local community historical and cultural heritage at the grounds.	Plan for any development and maintenance of landscape features or structures for historic or heritage memorials, events or values. Implement Heritage Interpretation Plan.	Inclusion of local community heritage values in the landscape consistent with Heritage Interpretation Plan.
	Promote and celebrate Aboriginal heritage to enhance community experiences and knowledge.	Interpret heritage to enrich visitor experience. Support the use of the Reserve for NAIDOC week and rally each year. Establish open dialogue and communication with local Elders to create an understanding of the depth and richness of our First Nation's history and culture.	Aboriginal cultural heritage identified and appropriately managed and celebrated within the reserve. Frequency and nature of involvement of Aboriginal stakeholders. Improved interpretation and education outcomes. Visitor and stakeholder satisfaction.
	Undertake further research into Aboriginal heritage values.	Aboriginal heritage sites found within reserve/s are investigated and recorded on the Aboriginal Heritage Information Management System (AHIMS) database.	Research is undertaken and new findings are recorded on AHIMS.
	Protect and manage Aboriginal sites.	Aboriginal heritage is identified, protected and conserved following statutory requirements, best practice and due diligence processes and consultation with stakeholders.	Statutory compliance with the National Parks and Wildlife Act 1974, Regulations and best practice protocols. Archaeological survey and cultural assessment are undertaken prior to all works with potential to impact on known Aboriginal sites or values and undertake a due diligence assessment including a cultural heritage survey for all other areas as a minimum. Reduced incidence of impacts (approved, unapproved, inadvertent or deliberate) and greater cultural awareness across the community. Stakeholders are satisfied with approach and outcomes.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
2. MANAGEMENT FRAMEWORK			
2.1 Environmental management and sustainability	Council investigation of environmental sustainability options and infrastructure.	Investigate implementation of alternate energy sources such as solar electricity and heating systems at new and current facilities.	Council investigation of environmental sustainability options and infrastructure undertaken.
	Reduction in operational costs for energy and water use through a range of environmental and sustainable means.	Energy and water use efficiency practices and systems, including timing systems or regulated watering practices.	Continued installation of energy and water efficient systems.
	The use of sustainable fertiliser and pesticide practices including the safe application methods followed to reduce human exposure are implemented which will also reduce run off into stormwater and environmental systems. Fertiliser and pesticide applications are recorded and made available where required.	Council and user organisations with occupancy and use agreements for sustainable fertiliser and pesticide application and management plans and practices.	Fertiliser and pesticide use monitored and reported on annual basis to relevant Director.
	Conditions of use and development clearly outlined in occupancy agreements.	Occupancy agreements detail environmentally sustainable conditions.	Occupancy agreements contained required conditions.
	Reduce costs to Council, users and hirers.	Review of water and energy use at facilities and document design improvements for buildings, structures and facilities, as required, over time.	Review and investigations conducted, and response actions reported to Council. Report on feasibility and value of further solar lighting in the Park.
2.2 Safe maintenance and upgrade of land, structures and facilities	Building and structures compliance with Australian Standards and NSW Building Codes.	Annual audit and review of buildings and structures to comply with Australian and NSW Building Codes standards.	Annual review/audit of park areas and facilities conducted and compliance with codes and standards.
	Regular repairs, painting & maintenance.	Council maintenance and incident reporting system to receive reports/ requests for maintenance needs is clearly published and acted upon.	Relevant Council Director approves maintenance system and is accountable for reporting.
	Safe electrical systems. Safe gas supply. Sustainable water supply. Fire systems compliance with NSW Standards. Safe chemical storage and use.	Annual electrical, gas and water supply systems check and review for maintenance and upgrade needs. Annual fire safety systems check for maintenance or upgrade to meet standards and codes by local Fire brigade or registered authority. All chemical storage, use and handling to be certified by current NSW authority, e.g. WorkSafe NSW.	Annual electrical, gas and water supply systems check and review for maintenance and upgrading needs. Annual fire safety systems check and response actions reported to Council. Chemical storage, use and handling certification and response actions reported to Council.
	Behavioural, environmental and safety risks are managed.	Erect notices under the LG Act, Section 632 to permit and prohibit activities and uses.	Permitted and prohibited activities require Council approval. Regulatory signage erected and enforced. Visual impact of signage considered.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
2.3 Booking systems, fees and charges, conditions of hire	Public awareness of potential leasing, licensing, bookings and hiring, and event availability.	Formal advertising of expressions of interest and clear allocation. guidelines and criteria for any leasing, licensing, bookings and hiring of land or facilities.	EOI processes conducted to inform allocation procedures for any leasing, licensing, bookings and hiring.
	Clear and accountable: <ul style="list-style-type: none">• policies of booking and hiring systems• fees and charges for use and hire• conditions of use and hire• standard user agreement documents, e.g: leases, licences and short term use permits	Formal EOI and user agreement allocations to be conducted for leasing or licensing. All bookings or hiring receive e-copy or paper copy of confirmation including any conditions of use and hire with contact details to assist hirer or user. Publication of booking and hiring notices and policies, fees and charges on-site, and if warranted Council website. Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities.	Council website publication of any EOI processes. Production and use of conditions of use and hire with contact details to assist hirer or user with all bookings or hiring. Standardised user agreements in use. Council publication of conditions of hire and use, including permissible uses, times and user or hirer responsibilities on use agreements, and casual hire permits.
2.4 Amenity Provision	Amenities provided are kept clean and accessible to users and visitors during daylight hours and at high or frequent visitation sites during facility or site opening hours. Amenities are maintained for safety, usability and modern standard.	Regular inspection and maintenance regime that is clearly published and provides contact details for community and visitor maintenance requests. User satisfaction surveys as part of wider Reserve use.	Relevant Council Director approves maintenance program and is accountable for reporting on outcomes and monitoring of contact queries and complaints. Analysis of user and visitor satisfaction surveys.
	Ensure that effective security is provided to Reserve and facilities to enable community uses to proceed and prevent vandalism.	Review security strategies for Reserve and facilities in coordination with user requirements and Council policies and programs.	Security review completed. Management actions and strategies implemented.
	Provide effective emergency access at Reserve and facilities.	Provide clear and effective emergency access from street frontage and through Reserve and facilities where applicable.	Emergency access to/from Reserve and facilities is clearly established and managed.
	Ensure event and user organisers and visitors are aware of emergency access and protocols.	Provide information to community, user groups and event organisers to understand emergency access system and protocols.	Training conducted or information provided for user groups, licensees/ hirers and event organisers on emergency access and situation management.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
2.5 Lighting, fencing and security	Lighting is provided for visitor and user safety at any community buildings, structures and car parks including RV and camping areas where night/dark use occurs.	Review of community facilities, structures and car parks to evaluate lighting needs and gaps for safety and to meet users and visitor needs.	Facilities lighting needs review, incorporating CPTED principles, and implementation program prepared and added to list of future capital works.
	Future development includes for safety lighting.	Include lighting in development approval conditions and event or agreements.	Where required, provision of lighting integrated into development application approval conditions.
	Lighting is provided for user and visitor throughfare travel and at sites of frequent use.	Review provision of safe lighting at user or visitor throughfares and install lighting to meet needs or gaps in provision. Improved lighting for security along key pedestrian walkways and cycle paths.	Review conducted and gaps or needs addressed. Installation of additional lighting, subject to resources and funding, to maintain safety along key pedestrian pathways and cycle paths.
	Lighting impact on neighbours and other users not requiring lighting is minimised.	Ensure lighting spill and brightness complies with current and acceptable industry standards. Lighting for evening and night grounds uses conform to Australian and industry/sports standards.	Demonstrated compliance with industry standards and Council policies.
	Clear demarcation of Reserve and facility boundaries with fences constructed in accordance with any standards or guidelines adopted by Council.	Negotiate with adjacent landowners to erect and maintain suitable and safe fencing. Fences may be constructed and shall be in accordance with the Dividing Fences Act.	Council policy adopted for open and public space fencing obligations for adjacent property owners. Fencing installed at agreed or required dimensions.
	A secure Reserve with limited anti-social or destructive behaviour.	Maintain or upgrade as required boundary fencing to limit anti-social behaviours and inappropriate access.	Boundary fencing maintained or upgraded.
		Investigate use of lighting in areas subject to rubbish dumping, graffiti and/ or alcohol/drug consumption Liaise with Local Area Police control to ensure observational security at identified peak anti-social activity times.	Identification of high impact areas and investigation of lighting to limit instances. Local Area Police Control liaison.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
2.6 Recreation facilities maintenance	Safe play equipment and recreation facilities.	Open space playground equipment and recreation facilities audit with focus on safety and compliance with the relevant Australian Standard and Council's playground and equipment upgrade plans or policies.	On-going audit of playground equipment and recreation facilities with completion of identified action priorities.
		Play equipment and recreation facilities shall be regularly maintained and kept in a safe condition.	Regular maintenance and upgrade program.
	Provide increased shade in summer for events.	Implement landscaping and tree planting to provide increased shade for events. Use of temporary shade structures.	Tree planting where consistent with landscape master plan or tree maintenance program. Temporary structures used for shade at events.
2.7 Safety and risk management	Ensure public safety and minimise user risk at Reserve and facilities.	Risk Management and Harm Minimisation Strategy prepared for park areas and Reserve facilities. Annual Safety Audit of all facilities on Reserve conducted by Council in conjunction with users, groups, hirers or event coordinators. Council to review needs for security around buildings and structures.	Preparation of risk minimisation strategy. Council maintenance team reporting system implemented. Annual reporting on implementation and risk minimisation. Annual Council audit of facilities conducted with users, groups, hirers or event coordinators, and response actions reported to Council. Installation of additional lighting or other mechanisms to increase safety and reduce risk and antisocial behaviour.
3. DEVELOPMENT AND USE			
3.1 Future development and use	Future development and uses are consistent with Council development consent, landscape plan and adopted POM.	Review of all proposed future developments and uses for consistency with landscape plan and adopted POM.	Proposed future developments and uses are reviewed prior to approval or implementation.
	Development and maintenance is undertaken with environmentally sustainable practices and within Australian or NSW standards.	Review development proposals and maintenance practices for compliance with Australian or NSW standards.	Reviews conducted and efficiencies or sustainability increased



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
3.2 Buildings, facilities and infrastructure	Remote controlled car track, skate park, play equipment and court facilities are well-maintained.	Implement maintenance plan to manage facilities and structures where not the responsibility of users.	Council preparation and implementation of maintenance schedule.
	Reserve seats, tables, BBQs, shade structures, lighting, paths, power and water provision are maintained.	Implement maintenance plan to manage Reserve amenity infrastructure.	Council preparation and implementation of maintenance schedule.
	Ensure toilet facilities are compliant with Building Code and are all-accessible.	Audit facilities and upgrade to meet BCA standards.	Audit and any required upgrades and/or new facilities completed.
	Review power needs for events management and amenities provisions and implement upgrades.	Power needs evaluation and project planning for required upgrades.	Evaluation completed and required upgrades planned and implemented.
	Public access to internet and wider community knowledge and awareness of uses and activities.	Investigate NBN or Wi-Fi provision at the Reserve to assist with broadcasting of events and competitions.	NBN or Wi-Fi investigations conducted and provided if warranted.
3.3 Event management Event or casual bookings	Ensure any events have event management licenses or permits through bookings or hiring.	All events have booking, licences or permits.	No unauthorised events.
	Include reasonable event management plans, traffic management plans, waste and public safety plans in licence conditions.	Prepare and use event licences or permits with inclusion of appropriate event management plans, traffic management plans, waste and public safety plans.	Large event licences and permits to include conditions for event and traffic, user and organisation vehicle management plans prepared in liaison with Local Area police.
	Maintain clear and published booking and hire system for events.	Publish booking and hire system arrangements on Council website with clear dates, times and contact details for users and community groups.	Publication and use of licences with conditions that address objectives. All hire or booking agreements have Council officer or event coordinator contact details to facilitate user benefits.
	Ensure any permitted Council, community or commercial events have event management licenses or permits through bookings or hiring, and include event management plans, traffic management plans, waste and public safety plans in licence conditions.	Prepare and use event licences or permits with inclusion of event management plans, traffic management plans, waste and public safety plans.	Event licences and permits to include conditions for event and traffic, user and organisation vehicle management plans prepared in liaison with Police Area Command. Publication and use of licences with conditions that address objectives.
	Personal trainers, fitness groups and small event bookings are safely conducted with minimal impacts on other reserve users and adjacent residences.	Personal trainers, fitness groups and small event bookings are accommodated in hall/buildings or park areas under booking, licence or hiring arrangements, subject to time and area limited with use conditions to enable use to limit conflicts of use with the general public.	Booking or licence system and documents prepared and used for personal trainers, fitness groups and small event bookings.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
3.4 Dogs in public places	Manage dog walking and play on and around playground, any food preparation areas, e.g: events, footpaths, park areas and built structures.	Install signage including any restricted areas, with an emphasis on no dogs within 10 metres of: <ul style="list-style-type: none">• a children’s playground or• a food preparation area.	Signage installed. Council website publication of companion animal and dog handling rules and regulations.
	Reduction in occurrence and spread of dog faeces.	Install dog faeces litter bins.	Dog faeces bins provided at Reserve at identified entry and exit points, high use areas and any identified or promoted walking tracks and cycleways.
	Increased community awareness about companion animal rights, responsibilities and management.	Publish animal and dog handling guidelines on Council website.	Council website publication of companion animal and dog handling rules and regulations.
3.5 Signage and advertising	Ensure information and signage is available to better integrate the Reserve with the Maitland Regional Sports Precinct.	Installation of signage and directional information about Reserve facilities at Maitland Regional Sports Precinct.	Signage and directional information installed.
	Upgrade local and regional signage and wayfinding for general visitors and district or regional users, as well as playing an important role in providing visitors with information about the availability and location of Reserve facilities.	Preparation and installation of local and regional wayfinder signage for Park areas and community facilities.	Installation of signage.
	Advertising signage at Crown reserves should be ancillary or supportive of the reserve purposes and activities and is not generally acceptable for solely external advertising purposes.	Evaluate any signage proposals for the Crown reserve to ensure advertising is ancillary to reserve use and management.	Review conducted of any signage proposed for Crown reserves.
3.6 Traffic, vehicular access and parking	Provide a safe, effective and efficient vehicle and pedestrian environment to access and move around Reserve and facilities.	Review of vehicle and traffic infrastructure for entry, internal movement, car parking and vehicle-pedestrian conflict minimisation.	Vehicle and traffic infrastructure review conducted.
	Safe pedestrian, bicycle and skater entry and exit to reserve activity areas.	Review current and existing entry and exit points to identify safety needs and upgrade program.	Reviews conducted and any upgrade program implemented.
	Dedicated parking and thoroughfares or internal access routes to minimise use conflict or site landscape or asset degradation.	Traffic directions, routes and parking clearly delineated with minimal site and user impacts.	Safe and low impact routes and parking installed.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
3.6 Traffic, vehicular access and parking	Parking areas, speed and vehicle limits clearly signed and marked.	Vehicle type and use restrictions, and parking times clearly signposted where required. Placement of speed limit signs at prominent locations.	Vehicle use and parking time signage installed. Speed limits signage installed at sites and facilities where required after review.
	Any encroachments on public land, once identified are resolved quickly to minimise the impact of unlawful use or unauthorised developments on the Reserve	Council rectification of any encroachments or illegal developments on Reserve	Identified encroachments rectified
	Limit vehicle use and parking area on reserve to use capacity	Provide clear designated parking areas and times Dedicated parking and internal access routes to minimise use conflict or site landscape or asset degradation Parking areas, speed and vehicle limits clearly signed and marked	Review conducted and traffic and car parking management implemented
	Safe vehicle speeds for surrounding roads and internal car parking access.	Placement of speed limit signs at pedestrian-prominent locations. Vehicle type and use restrictions, and parking times for car parks clearly signposted where required.	Signposting and traffic slowing measures installed as required. Speed limits signage installed at sites and facilities where required Vehicle use and parking time signage installed.
	No illegal parking on the reserve to access facilities or events.	Designated car parks identified and developed with traffic management to restrict unauthorised or illegal vehicle movements and parking.	Construction and installation of designated vehicle roads, car parking and traffic barriers.
	Events using Reserve and facilities have safe traffic management and reduce the potential for user / vehicle conflict.	Clear marking of designated access routes and parking arrangements for user and organiser vehicles. Event licenses and booking conditions have event and traffic management plans incorporated into user agreement conditions as part of agreement. Regulation of user parking and vehicle access on Reserve and at events.	Review conducted. Designated traffic, parking and pedestrian lanes marked for areas where events are held. Event licences and permits to include conditions for event and traffic, user and organisation vehicle management plans. Dedicated access routes and parking arrangements for organiser vehicles provided in event agreements.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
3.7 Permitted and prohibited e.g: alcohol free areas	Provide clear guidance to park and community facility users on Reserve conditions of use, including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions.	Site-based facility, structure, park and open space regulatory signage to address activity, including: <ul style="list-style-type: none">• alcohol free zones,• permissible and non-permissible activities,• dog leash or leash-free zones• times of specific uses	Installation of regulatory signage at park areas and facilities.
3.8 Access to adjacent infrastructure and land by other public entities.	Public entities - such as NSW Government agencies, infrastructure and utility providers, such as Ausgrid, have formal access rights to ensure provision, management and maintenance of infrastructure and utilities.	Licenses or easements as may be required to agencies and entities to undertake required activities.	Licensed granted or easement created.





6.2 NATURAL AREA - WATERCOURSE

The land categorised as Natural Area - Watercourse is set out in the Category Map in Appendix 1.

6.2.1 Guidelines and Core Objectives

Watercourses are defined in LG Regulation 110 as any stream of water, perennial or intermittent, in a natural or artificial channel, and associated riparian land or vegetation.

The core objectives for watercourses, as outlined in Section 36M of the LG Act, are to:

- Manage watercourses to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows.
- Manage watercourses to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability.
- Restore degraded watercourses.
- Promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

6.2.2 Physical Environment

The Reserve is within the Wallis Creek catchment, part of the broader Hunter River catchment area. Wallis Creek is an ephemeral stream, although the lower reach holds water permanently due to the tidal influence at its confluence with the Hunter River.

The surrounding natural area land and the reserve generally slopes down to Lynes Canal, which forms the reserve's northern boundary. Lynes Canal is a structured watercourse that was formerly a segment of Wallis Creek and drainage is regulated through two pipes (top pipe entering the reserve from the Sports Complex) and a small water gate and pipe into Wallis Creek, on the eastern end.

Surface water runoff typically flows as sheet flow towards Lynes Canal. A gentle, grassed spoon drain is present in the southwestern portion of the reserve, which captures and directs stormwater from High Street and the site towards Lynes Canal. The northern edge of the Watercourse category land borders a turf farm.¹

The Maitland Regional Sports Complex is situated to the north west of, and adjacent to Harold Gregson Reserve. The Complex includes Maitland No. 1 Sportsground and Regional Athletics Centre, both of which have received recent substantial upgrades or development. The Complex surfacing includes a synthetic track, grandstands and other buildings, and hard surfacing that includes car parks.

6.2.3 Key Issues

The Watercourse category land has essential functions as a flood mitigation and stormwater drainage canal. Lynes Canal as a watercourse retains cultural heritage significance for the local Aboriginal community. See Section 6.1 and Appendix 3.

The key issues are:

- Flood mitigation works;
- Stormwater management;
- Water quality;
- Visitor and reserve user safety; and
- Landscape and vegetation aesthetics and management.

Flood Mitigation

- Lynes Canal operates as a large storage detention area for overland water flow during high rainfall events. Flood water retention at lower levels is controlled by a floodgate at the eastern levee bank to allow flood waters to disperse into Wallis Creek whilst higher level flood waters overspill the eastern Reserve edge to enter Wallis Creek.

- There is no water or foreshore habitat or riparian vegetation of note due to the canal's ephemeral nature and maintenance regime.
- The canal is regularly cleaned of silt, weeds and other vegetation growth by Council to ensure the canal continues to operate as a key component of the flood and storm water management system of East Maitland.

Stormwater Management

- The canal is a wide shallow channel that is dry during prolonged periods of hot weather. During wetter years it becomes overgrown with weeds making maintenance more difficult.
- Increased nutrification of the downstream waterway of Wallis Creek from polluted stormwater includes sediment and can negatively impact waterway health and biodiversity and promotes weeds.
- Maintenance to the canal/Wallis Creek flow gate is undertaken by the Department of Planning and Environment (DPE)- Water and access is required for service vehicles and maintenance/management staff.

Water Quality and Health

- Water quality in the canal can be compromised by contaminated stormwater (containing oils, paints, fertilizers, or detergents etc), principally from East Maitland land uses, and hard urban surfaces and car parks associated with the reserve and the adjacent Maitland Regional Sports Complex.
- Increased nutrification of the waterways from polluted stormwater including sewage and sediment, negatively impacts waterway health and biodiversity if not carefully managed.
- Domestic animals adjacent to watercourses can have a detrimental effect on soil stability, riparian vegetation or reduced water quality from increased sedimentation

¹ AECOM Review of Environmental Factors Harold Gregson Reserve (Sports Hub Stage 4) 2022

and nitrification.

- Adjacent agricultural land uses can have a detrimental effect due to pesticide and fertiliser leachate or aerial dispersal resulting in reduced water quality and potential for aquatic weed or algae growth due to excessive nutrient presence in the watercourse.

Visitor and Reserve User Safety

- Public access trails along the watercourse canal is limited. The presence of youth and children using the adjacent Park category land requires clear safety measures to limit access to the canal.
- The canal is an earthen channel that functions as a detention pond during heavy rainfall and is flat with minimal grade to slow water flows.
- Access is retained for maintenance of infrastructure by NSW Government agencies, infrastructure and utility providers, such as Ausgrid or Council.

Landscape and Vegetation Aesthetics and Management

- General access to the canal from the main body of the Reserve and Park category land is delineated and restricted by a line of existing trees and mass planting of endemic ground cover and small shrub species that abut sandstone edging, picnic tables and seats.
- Mature trees in good condition are complemented by the regenerated endemic native species, and large legacy tree plantings, such as fig trees.
- The landscape assists with urban heat mitigation, and the strategic plantings and large trees provide shade and respite from extreme heat events.
- Subject to funding it is proposed to incorporate a pocket of rainforest species that were once endemic to the Hunter River

floodplain next to the canal on the eastern end. Such plantings will not interfere with access to the canal for maintenance.

6.2.4 Management Framework for Reserve Land Categorised as Natural Area – Watercourse

Council’s implementation of the objectives of the LG Act for the Natural Area – Watercourse category will be off set with the need to maintain a key piece of flood and stormwater infrastructure for Central Maitland, the Sports Complex and the reserve itself.

The watercourse is a shallow, reconstructed earthen channel that was formally part of the Hunter River. It is piped at either end and is periodically maintained by Council’s Works and Infrastructure team with silt and vegetation removal.

The canal is a designated storage detention and floodway area and is designed to carry floodwaters during peak flood events.

The Maitland Greening Plan 2002 provides guidelines for stream banks and flood plain areas and drainage lines including the canal. Levee banks including the canal banks should be excluded from any form of planting activity and a buffer of five metres should be maintained from the toe of levee banks with trees in floodway areas no closer than seven metres from trunk to trunk.

Consistent with the Maitland Greening Plan 2002, the land adjoining the watercourse area and within the bordering Park category land is being progressively revegetated as a means of controlling erosion and for improving water quality in the canal/watercourse by limiting the flow of potential contaminates from the reserve.

Where possible across all the canal/ watercourse land, measures should also be taken to limit the impacts of adjacent land uses including agricultural and the Maitland Regional Sports Complex.

6.2.5 Development and Use

Council strategic objectives and priorities outlined in Section 4.4 create the management framework for the reserve categorised as Natural Area – Watercourse.

Development will be limited to low impact incidental activities such as walking and or educational or cultural opportunities and maintenance requirements.

The canal is functional water infrastructure and maintenance access requirements limit any planting or developments that would be a barrier to maintenance equipment or activities.

6.2.6 Permissible Uses / Future uses

The general types of uses which may occur on community land categorised as Natural Area – Watercourse, and the forms of development generally associated with those uses, are set out in Table 8 below.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The facilities on community land may change over time, reflecting the needs of the community.

Table 8: Permissible use and development of community land categorised as Natural Area – Watercourse, subject to Council authorisation and approval

PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none">• Flood mitigation and stormwater management works and activities• Preservation of Council’s natural heritage including any identified endangered ecological communities• Providing a location for relaxation and passive recreation• Approved Bushcare and watercourse projects• Restoration or regenerative works associated with biodiversity and ecological values of the in-stream and riparian environment including water quality• Connection to Country and cultural heritage interpretation	<ul style="list-style-type: none">• Flood mitigation and stormwater management works• Low impact walking trails• Interpretive signage, information kiosks• Bridges, observational / educational platforms,• Water saving initiatives such as rain gardens, swales and sediment traps• Energy saving initiatives such as solar lights and solar panels• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out• Locational, directional and regulatory signage• Lighting for safety, compliance or support to facilities

6.2.7 Express Authorisation of Leases, Licences and Other Estates - Natural Area – Watercourse

Natural Area categories have specific restrictions on leasing and licensing of land. See Section 5.3.2 for restrictions.

This Plan of Management expressly authorises the issue of leases, licences and other estates over the land categorised as Natural Area – Watercourse, listed in Table 9.

Table 9: Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area – Watercourse

TYPE OF TENURE ARRANGEMENT	MAXIMUM TERM	PURPOSE FOR WHICH TENURE MAY BE GRANTED
Lease	Nil	<ul style="list-style-type: none">Nil
Licence	Five years	<ul style="list-style-type: none">Approved water quality, flood mitigation and stormwater management works, activities and temporary structures to assist these activitiesApproved bush care and water quality projectsRestoration or regenerative works associated with the protection of the biodiversity and ecological values of the instream, riparian and watercourse environment including water qualityEnvironmental and scientific studyConnection to country activities and cultural heritage interpretationWork sheds or storage sheds required in connection with the maintenance of the landTemporary erection or use of any building or structure necessary to enable a filming project to be carried out
Short term licence	One year	<ul style="list-style-type: none">Approved water quality, flood mitigation and stormwater management works, activities and temporary structures to assist these activitiesApproved bush care and water quality projectsRestoration or regenerative works associated with the protection of the biodiversity and ecological values of the in stream, riparian and watercourse environment including water qualityEnvironmental and scientific studyConnection to Country activities and cultural heritage interpretationTemporary erection or use of any building or structure necessary to enable a filming project to be carried out

TYPE OF TENURE ARRANGEMENT	MAXIMUM TERM	PURPOSE FOR WHICH TENURE MAY BE GRANTED
Other estates		This POM allows Council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities and provision of services, or connections for premises adjoining the community land to a facility of Council or public utility provider on the community land in accordance with the LG Act.

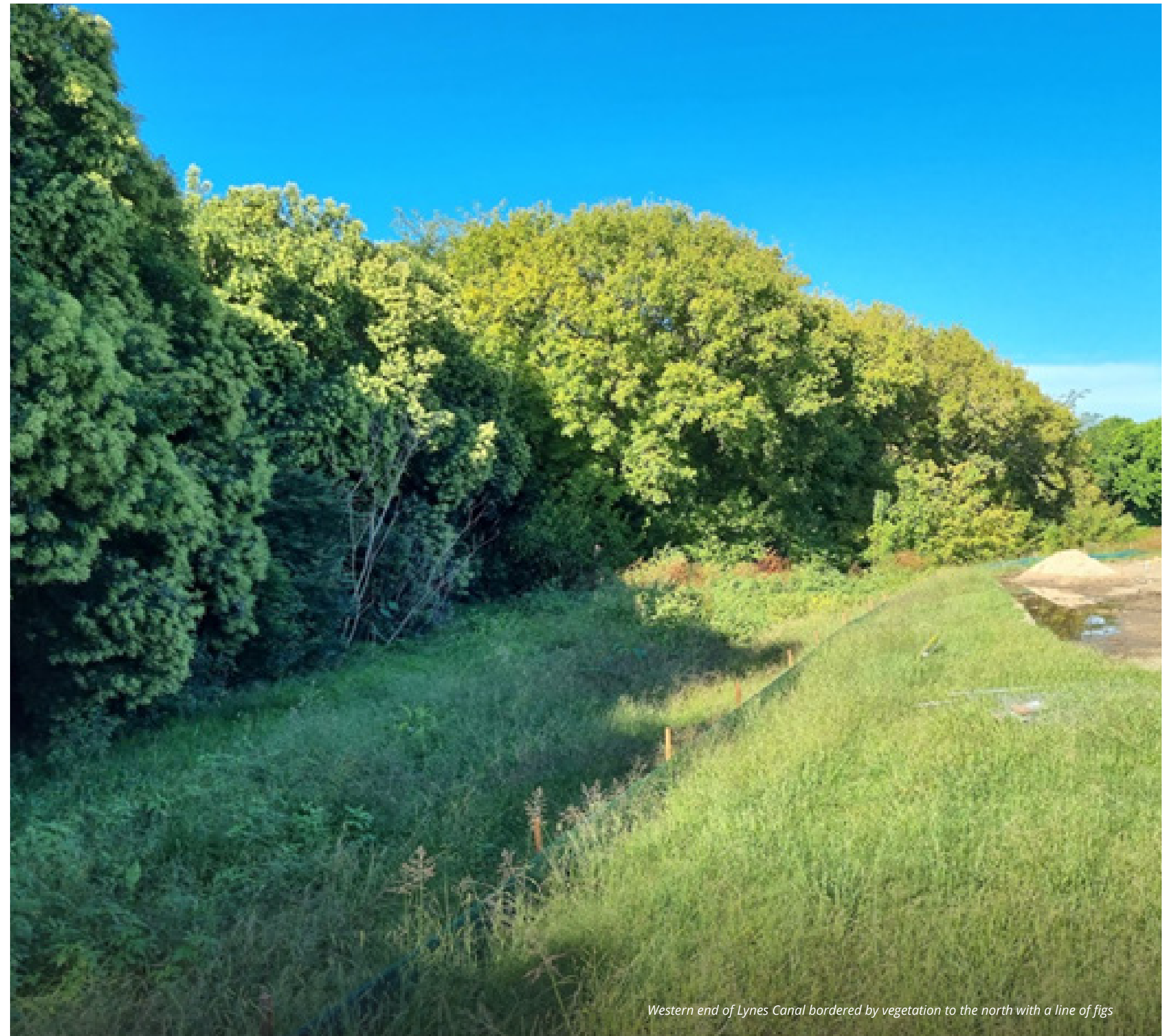


6.2.8 Action Plan For Natural Area - Watercourse

Section 36 of the LG Act requires that a POM for community land details:

- Objectives and performance targets for the land.
- The means by which the council proposes to achieve these objectives and performance targets.
- The manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

Table 10 sets out these requirements for community land categorised as Natural Area – Watercourse.



Western end of Lynes Canal bordered by vegetation to the north with a line of figs

Table 7 sets out these requirements for community land categorised as park.

MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
1. FLOOD MITIGATION			
	Maintain landscape to provide for canal function as large storage detention area for flood and stormwater management.	Retain flat/low bank slopes. Limit vegetation to erosion measures.	Bank slopes comply with suitably engineered slopes and gradients. Vegetation types are used where suitable for flow areas.
	Maintain stable watercourse and canal banks and channel.	Implement landscape masterplan to provide: <ul style="list-style-type: none">only appropriate vegetation plantingno unauthorised vehicle accesssuitable bank grades	Landscape masterplan implemented for planting, access, and bank grades.
	Limit asset and infrastructure installation in watercourse to reduce flood damage.	Ensure only essential and suitably designed and engineered assets and infrastructure are installed.	Reduced damage to any assets or infrastructure.
	Efficient and environmentally conscious canal operation.	Remove debris and refuse prior to and after flood events.	Canal clear for water movement and flood dispersal.
	Facilitate access for flood mitigation and stormwater management operations and service vehicles.	Consultation with infrastructure maintenance, flood and stormwater management stakeholders to determine and provide adequate access requirements. Where required for operational or public safety reasons, limit access to authorised persons or emergency services.	Consultations held. Access requirements met.
	Ensure safety of the community, emergency workers and Council employees and contractors.	Close reserves or damaged sections of reserves during a flood event until assessed as safe. Ensure Council's Operations Plan includes consideration of resources to fund site rehabilitation works following flood events.	All reserves or affected sections closed until assessed as safe.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
2. STORMWATER MANAGEMENT AND WATER QUALITY AND HEALTH			
	Reduced stormwater contamination by debris and refuse.	Ensure maintenance of storm water gross filters beyond the reserve are working to capacity to improve water quality into the canal and onto Wallis Creek.	Regular maintenance programs of waterways and drains leading to the reserve and within the reserve that address debris and refuse. Reduction in debris and rubbish and regular maintenance regime.
	Reduced stormwater contamination by insecticides, fertilisers, vehicle and other outputs, weed and pathogen.	Undertake review of management and use practices of adjacent land uses, the reserve and the Maitland Regional Sports Complex to reduce stormwater contamination.	Review undertaken. Education on recommended practices. Reduction in contamination through excessive nutrients, paints, fertilizers, or detergents, sewage and sediment.
3. VISITOR AND RESERVE USER SAFETY			
	Ensure public safety at the canal.	Limit public recreational access through temporary barriers when water levels are high. Provide adequate regulatory, educational and interpretive signage. Limit public walkways, paths and access to the canal.	Few reported incidents. Lowered public liability insurance costs.
	Close any unauthorised tracks and trails.	Close any unauthorised tracks and trails to reduce environmental impacts.	Number of unauthorised tracks and trails closed.
	Prevent unauthorised vehicle or personal access.	Regularly check reserve boundaries where access is restricted to ensure they are secured. Identify areas where unauthorised access is occurring and investigate alternatives through authorised road reserves and closure of unauthorised access routes to consolidate and protect natural areas.	Reduced cases of unauthorised access Number of unauthorised access points. Number of access points with gates.



MANAGEMENT ISSUES LG ACT	OBJECTIVES AND PERFORMANCE TARGETS S.36(3)(B)	MEANS OF ACHIEVEMENT OF OBJECTIVES S.36(3)(C)	MANNER OF ASSESSMENT OF PERFORMANCE S.36(3)(D)
4. LANDSCAPE AND VEGETATION AESTHETICS AND MANAGEMENT			
	Well designed and landscaped environment suited to the issues and limits to recreational use.	Implement landscape master plan and heritage interpretation strategy.	Landscape master plan and heritage interpretation strategy implemented.
	Manage and reduce weeds, pests, disease and pathogens	Identify and record weed, pest, disease and pathogen incursions through monitoring to inform site management and budgeting requirements. Target weeds, pests, disease and pathogens according to state, regional and local priorities under the NSW Biosecurity Act 2015. Collaborate with external government and adjacent land stakeholders to implement management measures in a coordinated approach.	Regular site monitoring undertaken and recorded to determine ecosystem resilience and effectiveness of strategies. Compliance with state, regional and local priorities under the NSW Biosecurity Act 2015.
	Restore vegetation connectivity	Implement landscape master plan to assist vegetation connectivity and linkages to neighbouring wildlife corridor.	Areas of vegetation restored and suitable identified species planted.
	Protect and manage watercourse and canal foreshore areas for habitat.	Monitor the foreshore, particularly after flood and storm events for erosion, soil compaction and weed infestation. Work with external government and adjacent land stakeholders to improve the canal health and subsequently Wallis Creek by monitoring waterway health, restoring foreshore and waterway habitat, controlling pests and weeds and improving water quality.	Foreshore and watercourse condition is improved.
5. CULTURAL HERITAGE			
	In consultation with Aboriginal Stakeholders, identify areas suitable for interpretation.	Consult with Mindaribba Local Aboriginal Land Council to provide guidance for indigenous contribution to Heritage Interpretation Plan 2022.	Consultation(s) held and contribution included.
	Interpret Aboriginal and European cultural heritage where suitable.	Implement Heritage Interpretation Plan 2022.	Strategy implementation including any cultural naming, interpretation and education mechanisms.
Decision making not addressed in this POM.	To facilitate decision making not addressed in this POM.	Any management decisions or issues outside of the scope of this POM should be assessed and resolved in the context of the Core Objectives for the Natural Area - Watercourse category as per the LGA 1993, the Crown Reserve Purpose, Land Zoning, and Council Policy.	Compliance with core objectives for the Natural Area – Watercourse.



APPENDICES

APPENDIX 1 - CATEGORY MAP



APPENDIX 2 – CONDITION DESCRIPTION OF THE LAND AND STRUCTURES

All structures on the reserve are new and therefore all assets are in good condition. The assets are as follows, skate park, multi-purpose court, adventure play space, event lawn and stage, radio controlled car track and facilities, amenities building, shade structures, tables and bbq facilities, seating, vehicle access roads, shared pedestrian/cycle paths, lighting, fencing, signage, trees, shrubs and plantings, and turf and grass.



The Master Plan demonstrates what land is covered by this PoM in pink and the green land is Council Owned Community land covered by the Generic Council Owned Community Land PoM.



APPENDIX 3 – STAKEHOLDER ENGAGEMENT

Maitland Off Road Radio Controlled Car Club Inc.

A phone discussion/interview was conducted on 26 April 2023 with the Club Secretary and is recorded below.

1. Reserve values

The reserve is valued for the opportunity to take part in sport and hobby with practice and competition for the offroad car club members, family and wider community of visitors and users.

The track, facilities, and physical space available are accessible to travel to, park and use, with added unique equal/disabled access for users. Disabled and equitable access to the drivers’ stand area is unique in Australia, with accessible car parking and an accessible ramp to the drivers stand, which allows a degree of disabled access for all our members and the general public.

The club values the stand-alone car club uses and the track’s proximity to the other reserve facilities including play equipment, skate park, toilets and open space.

The club has a long standing association of almost 40 years at Harold Gregson Reserve.

The track and facilities are also valued for the quality and standards, as well as being the only car club track between Port Macquarie and Wollongong.

2. Current use, areas and frequency of use

The club uses the track each fortnight for club meetings and events, currently 2nd and 4th Sundays of each month throughout the year.

In addition to these offroad ‘club day’ race events, the club also organises other special events throughout the year, that span over two or three consecutive days, including:

- NSW State Titles (1/8 Scale) - Annually
- NSW State Tiles (1/10 Scale) - Annually
- Proline Interclub Challenge (1/8 Scale)

- Annually

- Australian National Finals (1/8 Scale) – Held in 1999, 2007 & 2017
- Australian National Finals (1/10 Scale) – Held 2018
- NSW Driver Series (1/10 Scale) - Annually

The track and facilities are also available for general community use by interested people and hobbyists at all other day times.

The MORCCC membership includes members from the age of 5yrs to 70yrs+ with varying levels of physical ability. The club is a great source of companionship and learning for individuals and families. COVID and the redevelopment has affected club memberships, but the club believes membership will regrow in the future.

3. Issues and solutions

The club is satisfied with the hiring and use arrangements, and the club’s management and maintenance obligations and achievements.

The development of the reserve is welcomed and appreciated, effectively fulfilling most of the club’s stated future and near-term plans and priorities, including realignment of vehicle access, provision of toilets, potential RV parking, improvements to the other reserve facilities, and reduction in ground and stormwater movement at the track and surrounds.

The facilities are adequate to hold race events that meet several minimum requirements for the clubs’ facilities. These requirements are established by AARCMCC and include standards for the track itself and also ancillary facilities. The minimum facilities required include, race track, drivers stand, race control, pit lane, pitting area & storage. In addition, attendees require toilet facilities and food / beverages.

Club funding is generally through membership fees, entry fees for major events,

minor food and beverage sales, donations and volunteer labour. The club appreciates its relationship with Maitland City Council and Council’s redevelopment and management of the reserve and associated facilities and infrastructure.

4. Major or ‘big picture’ improvements

Minor configuration of the track over time and to meet event standards and ensure on-going variation in experience.

Permanent or mobile shade structures over the drivers’ stand and pitting areas for inclement and hot weather during events and competitions.

The club would like to eventually provide a small canteen area, which could include some reconfiguring of existing storage / race control area.

Improved locational and directional signage.

Some form of improved Wi-Fi (NBN/internet) at the site to enable broadcasting of club and special events.

In terms of future intensity of use, the club will seek to expand membership and maintain its current use levels for club and special events.

Mindaribba Local Aboriginal Land Council (MLALC)

[draft content waiting confirmation from MLALC]

Meeting held in person 9 May 2023 at MLALC in Metford with:

- Maitland City Council – Allison Cronin
- CGM Planning – Carl Malmberg and Colette Goodwin
- MLALC – Tara Dever Chief Executive, Eliza Cook & Uncle Mick. Apologies from Jane Sinclair and Sharnie Philpott of the subcommittee formed following 1 May 2023 community meeting.

Following introductory comments about the relationship between Council and the MLALC the following points were made during discussion.

- The site has local community members with indigenous ownership of the land and other elders with memory of growing up and playing in the area.
- At one time it was a shared space during the Great Depression of an Aboriginal camp and non-aboriginal people.
- Several of the trees on the land have special meaning to the community and the ground beneath tree(s) could contain artifacts.
- A song line runs along the rail line and the landscape has cultural meaning.
- The area is still used by 20-30% of the local Aboriginal community.
- Aboriginal cultural heritage and interpretation of the space has changed as it has been recently altered and trees removed but the Dreaming stays with the land.
- The MLALC had not seen a site plan setting out the proposed development (Part 5) and would like to see it to make a reasonable response for the draft Plan of Management (POM).
- Co-management of the space was briefly raised and MLALC stated this could occur

- through dialogue and agreement on the way the space is valued, configured and used but not ‘joint management’ of the land that may include financial management or maintenance.

 - The MLALC recently received two documents from Council, of which one was the draft Heritage Interpretation Plan. MLALC acknowledged that the writer tried to integrate Aboriginal matters into the document but the draft Plan did not grasp the true or full picture of Aboriginal cultural heritage in the area as Council and/or the consultant did not consult with them in its preparation.
 - The proposal in the draft Heritage Interpretation Plan for dual naming within the Reserve was supported however the name of the reserve as Harold Gregson Reserve was questioned given a perceived limited contribution to the area of this person.
 - Request made that the draft Heritage Interpretation Plan be further developed in consultation with the Aboriginal community, and CGM Planning was to put action into the draft POM.
 - MLALC stated that local Aboriginal cultural history will vary from site to site so it can't be assumed to be the same elsewhere. Every site will have different Aboriginal lore and cultural meaning and what is spoken about through consultation for one site cannot be assumed to be the same on another similar site. In effect, cultural knowledge should not be used by a proponent/council for other purposes unless agreed. It was agreed that CGM Planning would make a note of this in the draft POM.
 - MLALC requested to be notified of the next stages of the project at Harold Gregson Reserve.
 - MLALC requested that the Reserve be made available to the Aboriginal community during NAIDOC week and as an end point for their yearly rally/march.
- MLALC advised that the response to the self-administered survey would be provided in about seven days’ time, once the subcommittee had viewed the site plan (scheduled for Friday 12 May 2023), and the subcommittee and CEO report back to the MLALC Board/community to finalise the feedback/contribution initially sought.

APPENDIX 3 – STAKEHOLDER ENGAGEMENT

The primary State and Federal legislation that impacts on how community land is managed or used is briefly described below. You can find further information regarding these acts at legislation.nsw.gov.au

Local Government Act 1993

Section 35 of the Local Government Act 1993 (LG Act) provides that community land can only be used in accordance with:

- The Plan of Management applying to that area of community land, and
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and
- The provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a Plan of Management for community land must identify the following:

- a. The category of the land,
- b. The objectives and performance targets of the plan with respect to the land,
- c. The means by which the council proposes to achieve the plan's objectives and performance targets,
- d. The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets and may require the prior approval of the council to the carrying out of any specified activity on the land.

A Plan of Management that applies to just one area of community land:

- a. must include a description of:
 - (i) The condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the Plan of Management, and
 - (ii) The use of the land and any such buildings or improvements as at that date, and
- b. must:

- (i) Specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
- (ii) Specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
- (iii) Describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a. A natural area
- b. A sportsground
- c. A park
- d. An area of cultural significance
- e. General community use

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a. Bushland
- b. Wetland
- c. Escarpment
- d. Watercourse
- e. Foreshore
- f. A category prescribed by the regulations

Additionally, under section 36 of the LG Act, a site-specific POM must be made for land declared:

- As critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3)).
- By council to contain significant natural features (section 36C(2)).
- By council to be of cultural significance (section 36D(2)).

Classification of public land

The LG Act requires classification of public land into either ‘community’ or ‘operational’ land (Section 26). The classification is generally made for council owned public land by the council’s Local Environmental Plan (LEP) or in some circumstances by a resolution of the council (Section 27).

Crown reserves managed by council as Crown land manager have been classified as community land upon commencement of the Crown Land Management Act 2016 (CLM Act). Councils may manage these Crown reserves as operational land if written consent is obtained from the Minister administering the CLM Act.

Classification of land has a direct effect on the council’s ability to dispose of or alienate land by sale, leasing, licensing or some other means. Under the LG Act, community land must not be sold (except for scheduled purposes), exchanged or otherwise disposed of by the council, and the land must be used and managed in accordance with an adopted POM. In addition, community land is subject to strict controls relating to leases and licences (sections 45 and 46) of the LG Act.

By comparison, no such restrictions apply to operational land that is owned by councils. For example, operational land can be sold, disposed, exchanged or leased including exclusive use over the land, unencumbered by the requirements which control the use and management of community land. Crown reserves managed by council as operational land may generally be dealt with as other operational land but may not be sold or otherwise disposed of without the written consent of the Minister administering the CLM Act.

Operational land would usually include land held as a temporary asset or an investment, land which facilitates the council carrying out its functions or land which may not be open to the general public (for example, a works depot).

The classification or reclassification of council owned public land will generally be achieved

by a Local Environmental Plan (LEP) or by a resolution of council in accordance with sections 31, 32 and 33 of the LG Act. If land is not classified by resolution within a three-month period from acquisition it automatically becomes community land, regardless of whether it satisfies the objectives for community land as outlined in the LG Act.

For Crown land, Council cannot reclassify community land as operational land without consent of the Minister administering the CLM Act.

Crown Land Management Act 2016

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, as Council Crown land managers, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land and cannot be used for an activity incompatible with its purpose – for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the objects and principles of Crown land management outlined in the CLM Act. The objects and principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

Principles of Crown land management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

Crown land management compliance

In addition to management and use of Crown reserves that is aligned with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown land managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any Crown land regulations that may be made.

Native Title Act 1993

The Commonwealth Native Title Act 1993 (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- Provide for the recognition and protection of native title.
- Establish ways in which future dealings affecting native title may proceed and to set standards for those dealings.
- Establish a mechanism for determining claims to native title.
- Provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure.

Specifically, the CLM Act makes it mandatory for council to engage or employ a native title manager. This role provides advice to council as to how the council’s dealings and activities on Crown land can be valid or not valid in accordance with the NT Act.

Council must obtain the written advice from an accredited native title manager that Council complies with any applicable provisions of the native title legislation when:

- a. Granting leases, licences, permits, forestry rights, easements or rights of way over the land.
- b. Mortgaging the land or allowing it to be mortgaged.
- c. Imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land.
- d. Approving (or submitting for approval) a Plan of Management for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

OTHER STATE AND COMMONWEALTH LEGISLATION

NSW STATE LEGISLATION

Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

Aboriginal Land Rights Act 1983

The Aboriginal Land Rights Act 1983 (ALR Act) is important legislation that recognises the rights of Aboriginal peoples in NSW. It recognises the need of Aboriginal peoples for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

Note: This Act repealed several pieces of legislation including the Native Vegetation Act 2003, Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001, and the animal and plant provisions of the National Parks and Wildlife Act 1974.

Biodiversity Conservation Act 2016

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

Although Threatened Species Conservation Act 1995 has been repealed and superseded by the Biodiversity Conservation Act 2016, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

Former DPIE’s Energy, Environment and Science division advised that recovery plans and threat abatement plans made under the Threatened Species Conservation Act 1995 were repealed on the commencement of the Biodiversity Conservation Act in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Biosecurity Act 2015

An act to provide for the prevention, elimination, minimisation and management of biosecurity risks including pests, weeds and disease.

Fisheries Management Act 1994

The Fisheries Management Act 1994 (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/ freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific Plan of Management will need to be undertaken.

The Coastal Management Act 2016

The purpose of the CM Act is to manage the use and development of the coastal environment in an ecologically sustainable way, for the social, cultural and economic well-being of the people of New South Wales.

The CM Act also supports the aims of the Marine Estate Management Act 2014, as the coastal zone forms part of the marine estate.

The CM Act defines the coastal zone, comprising 4 coastal management areas:

- 1. coastal wetlands and littoral rainforests area
- 2. coastal vulnerability area
- 3. coastal environment area
- 4. coastal use area.

The CM Act establishes management objectives specific to each of these management areas, reflecting their different values to coastal communities.

Coastal Management Compliance

A coastal management program (CMP) is being developed for the Hunter Estuary which includes the Maitland local government area up to the tidal influence at Oakhampton Heights. The CMP will include assessment of the mapped estuarine lands for coastal hazards and impacts of climate change. Until the program has been adopted by Councils and certified by the Minister, the Coastal Management Act 2016 objectives should prevail when making decisions on the land. Mapped areas under the coastal use and coastal environment will require consent under designated development in most cases unless legislation updates or legal advice provide future advice.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- The fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected.
- The management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land.
- To be properly effective, water management
- must be a shared responsibility between the government and the community.
- Water management decisions must involve consideration of environmental, social,

economic, cultural and heritage aspects.

- Social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a POM.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This policy deals with a range of environmental matters including the clearing of native vegetation in urban and village areas subject to particular zonings.

State Environmental Planning Policy (Transport and Infrastructure) 2021

This planning policy lists development allowed with consent or without consent on community land.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This SEPP specifies exempt and complying development which may be carried out without the need for development consent under the Environmental Planning and Assessment Act 1979 on certain public land. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners' property rights and the common law still apply.

OTHER RELEVANT LEGISLATION INCLUDES:

Companion Animals Act 1998

Disability Discrimination Act 1992

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Soil Conservation Act 1938

Hunter Water Act 1991

Rural Fires Act 1997



APPENDIX 5 – ABORIGINAL INTERESTS IN CROWN LAND

Crown land has significant spiritual, social, cultural and economic importance to the Aboriginal peoples of NSW. The CLM Act recognises and supports Aboriginal rights, interests and involvement in Crown land.

The management of Crown land can be impacted by the Native Title Act 1993 (Cwth) and the Aboriginal Land Rights Act 1983 (NSW).

Native Title

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth Native Title Act 1993 (NT Act).

Native title does not transfer the land to the native title holder, but recognises the right to land and water, by providing access to the land and if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a POM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the Crown lands website.

Aboriginal Land Rights

The Aboriginal Land Rights Act 1983 (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders).

Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning and Environment is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.





Planning and Environment

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13 INFRASTRUCTURE AND WORKS

13.1 STEAMER STREET SHARED PATHWAY PROJECT UPDATE

FILE NO:	65/21
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works
AUTHOR:	David Moloney - Group Manager Infrastructure & Works
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance

EXECUTIVE SUMMARY

This report is in response to a Council resolution to investigate options for a suitable alternate location within Morpeth for the Steamer Street pathway project and discussions held with the funding body as to the transfer of the funding to an alternate location.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorse the proposed route change as described in this report for construction.**

REPORT

At the Council Meeting on the 24 October 2023 Council resolved that:

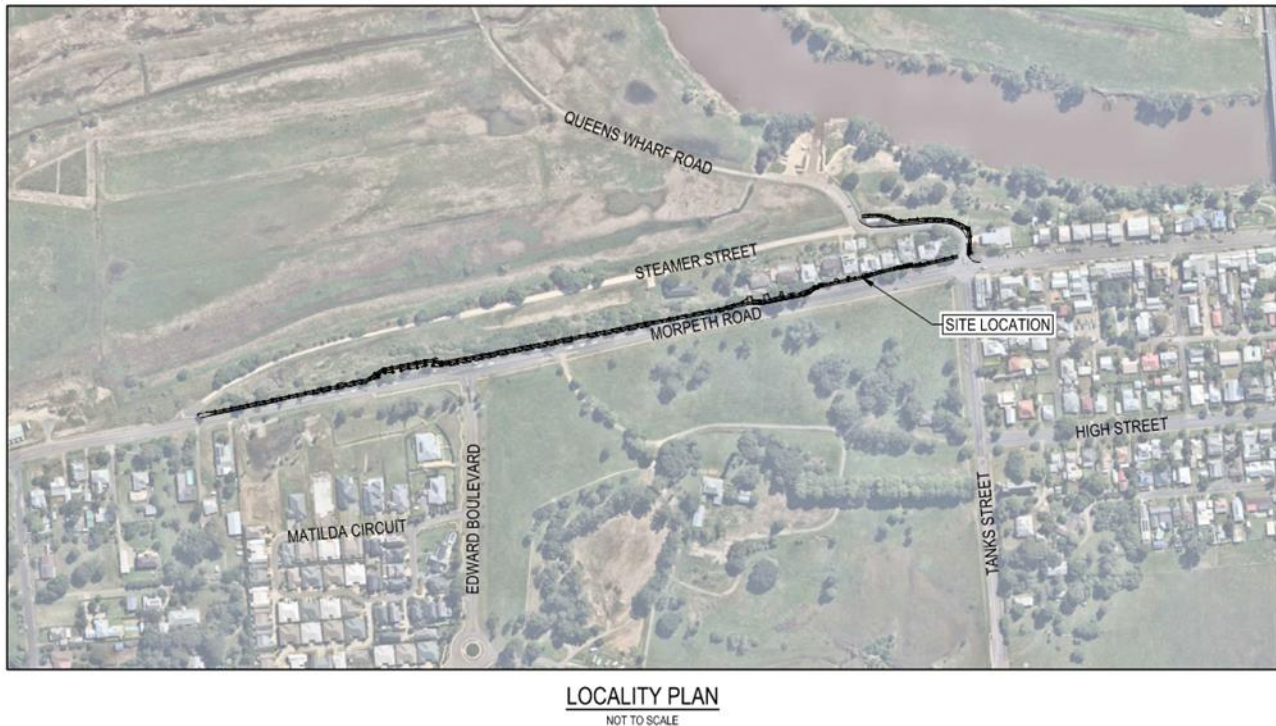
- 1. Council suspend the works in regards to Walka Shared Pathway Steamer Street Loop.**
- 2. Report back to Council with a suitable alternative location within Morpeth.**

Current Status of the Steamer St Loop Project

The Walka Shared Pathway Steamer Street Loop (Steamer St Loop) was funded under the Resources for Regions grant with the project being nominated and approved by the funding body. The funding for the project is \$912,634.00 and has a completion date of 29/03/2024.

At the time of the resolution Council had commenced the tender process to procure a Contractor to deliver these works.

STEAMER STREET SHARED PATHWAY PROJECT UPDATE (Cont.)



Council Officers have held discussions with the funding body in regards to the above resolution and they have advised that as no specific route was identified in the funding agreement and the location will remain similar, no variation to the funding deed is required should the route of the Steamer Street Loop alter. It is noted that should an alternate location be preferred then a variation would need to be applied for and approval given based on the merits of that project including it being able to meet funding guidelines.

Officers have reviewed the resolution and have determined an option for the project going forward that allows Council to continue with the original intent of the works with 80% of the design works ready for construction.

Revised Route for Steamer St Loop

The revised route would deliver on the current design of the Steamer St loop retaining the footpath loop back to Morpeth on the northern side of the road as shown above. It is proposed that the footpath would then continue for 510m (in the vicinity of 378 Morpeth Road). A pedestrian crossing would be provided on Morpeth Road to provide safe access to the existing footpath on the southern side of Morpeth Road for a further 220m. The provision of an additional crossing on Tank St would need to be investigated to determine if it was required (see the blue lines below).

The exiting footpath along the southern side of Morpeth Road is only 1m wide and investigations into potential widening would be required to ensure that there are no elements obstructing the design between the new crossing and Tank St. Council is aware of the possibility of some heritage issues on the southern side that may restrict widening of the footpath and these would also need to be investigated further.

STEAMER STREET SHARED PATHWAY PROJECT UPDATE (Cont.)



LOCALITY PLAN
NOT TO SCALE

There is an existing pedestrian crossing on Morpeth Road west of Edward Boulevard. Investigations were undertaken as to the viability of pedestrians utilising this existing crossing to access the southern side of Morpeth Road, however from that point to the proposed new crossing there are infrastructure and land constraints that make conversion to a shared pathway unfeasible.

It is expected that the original budget for this project would be sufficient to cover the revised scope.

It is worth noting that at the time of the resolution Council was out to tender for these works. This tender has since closed and been assessed. Should the recommendations in this report be accepted, to expediate the construction of this project, Council could enter negotiations with a tenderer for this revised scope of works.

CONCLUSION

The option presented in this report delivers on the original intent of the project while still being able to progress the project with a revised scope that is deliverable in a timely manner and within budget.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates and the budget for the original project is sufficient to cover the revised scope of works.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STEAMER STREET SHARED PATHWAY PROJECT UPDATE (Cont.)

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

13.2 ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS

FILE NO:	103/20
ATTACHMENTS:	1. Maitland to Rutherford Shared Pathway General Arrangement Plan
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Kevin Stein - Manager Engineering & Design
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance
Previous Items:	13.2 - Route Options for a Shared Pathway from Belmore Bridge to Walka Water Works - Ordinary Council - 08 Dec 2020

EXECUTIVE SUMMARY

The Rutherford to Maitland to Morpeth shared pathway has been identified for delivery in line with Councils priorities and identified opportunities. Concept design for the path segment identified as Maitland to Rutherford incorporating the section between Belmore Bridge and Walka Water Works has been undertaken using LIDAR survey information and aerial imagery. The project is now progressing towards detailed design.

Support is sought from Council on the selected route alignment to allow works to continue to progress towards delivery including enabling officers to discuss with impacted landowners arrangements for access for site survey and to commence discussions regarding the acquisition of land needed to deliver the works.

OFFICER'S RECOMMENDATION

THAT

- 1. The status report on the Rutherford to Maitland to Morpeth shared pathway project stages be noted.**
- 2. The shared pathway route nominated by this report (Modified Option 3) for the section between Belmore Bridge and Walka Water Works be adopted by Council.**
- 3. Council initiates steps associated with the purchase of property from the owners of land parcels along the route to facilitate site access and to acquire land needed to deliver the shared path works.**

4. Details associated with the acquisition of land needed to deliver the shared path works be reported to Council for further approval.

REPORT

The purpose of this report is to advise Council of the identified preferred route for the segment of the Rutherford to Maitland to Morpeth Shared Pathway from Belmore Bridge to Walka Water Works. Support is sought from Council on the selected route alignment to allow works to continue to progress towards delivery and completion of this stage of the project.

BACKGROUND

The Maitland Local Strategic Planning Statement 2040+ has identified as a priority to *"Improve access to, from and within the city and encourage public and active transport to connect people and places"*. Councils Destination Management Plan 2020 – 2030 identifies opportunities aligning with this priority to provide a network of shared pathways linking Morpeth with Walka Water Works and Central Maitland.

The Rutherford to Maitland to Morpeth shared pathway has been identified for delivery in line with Councils priorities and identified opportunities. The project has been segmented into stages for delivery which when implemented will help provide access to over 17 kilometres of active transport routes linkages between major destination hubs, public open space, tourist attractions, town centres and residential areas.

Reports and briefings have previously been presented to Council detailing route options for the stage of the shared pathway between Walka Water Works and Belmore Bridge. Key milestones associated with this process include the Council briefing on route options on the 26 November 2019 and the Council report on the 8 December 2020 which resolved *"A report on the preferred Cycleway Route be made to Council"*. This report seeks to define the preferred route and outline the delivery strategy needed to progress actions required to deliver this segment of the shared pathway including required land acquisition, funding and project timeframes.

ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS (Cont.)

ROUTE OPTIONS AND SELECTION

At the briefing held 26 November 2019 four (4) route options were presented. These are shown in the figures below.



Option 1



Option 2



Option 3



Option 4

Further investigation into route viability including liaison with Hunter Water to utilise their pipeline corridor and the Office of Environment and Heritage with regards to construction works in proximity to Hunter Valley Flood Mitigation Scheme assets has occurred. Factors such as design standards, utility relocations, land acquisition, property access issues and end user amenity have been identified and considered as part of this investigation. Consideration has also been given to other Council projects occurring in the area including the Walka Water Works redevelopment and the Scobies Lane road reconstruction in proximity to the Powerhouse Control.

ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS (Cont.)

In respect to the four options and detailed investigation, the following commentary is provided:

- Option 1.
The initial preferred route was Option 1 however the use of Mount Pleasant Street was problematic due to the existing narrow footway width, presence of utilities and the potential impacts to adjoining properties with shallow dwelling setbacks
- Option 2.
The connection point associated with Option 2 at the Long Bridge lacked the ease of wayfinding and connectivity back to existing infrastructure at the Riverwalk
- Option 3.
Is the preferred option for adoption and progressing to detailed design with alignment adjustment to the north within Council land and included in the attachments.
- Option 4.
This option was not pursued as construction of the path along some sections of the riverbank is not viable due to degradation and site gradients.

The recommended alignment (Modified Option 3) is varied slightly from the original Option 3 previously presented to Council, it maintains the same route along the river bank from Maitland to Oakhampton Road. However, adopts a direct route between Oakhampton Road and Walka over Council owned land, reducing impacts to the Hunter Water Corridor maximizing Council owned land and reducing impacts to private property holdings.

PROJECT STATUS AND TIMEFRAME

Investigation and Concept designs for this project are complete, following adoption of the preferred Cycleway route included in this report. The project will now progress towards detailed design. Minor adjustments to the proposed alignment of the shared pathway may occur as part of detailed design however the general location and the impact to identified properties has been defined and is not anticipated to vary.

Funding has been secured from the Get NSW Active Program 2022/23 to complete detailed design for the segments of the shared pathway network from Rutherford to Maitland that incorporates the Belmore Bridge to Walka Water Works shared pathway segment as shown in the attached plan. Detailed design is required to be completed in accordance with the requirements of the grant funding deed by June 2024.

DELIVERY STRATEGY INCORPORATING LAND ACQUISITION

During conceptual design, property owners impacted by the proposed works were notified to request Council access to carry out survey and investigation works. Signed permits to enter have been received for some land parcels, however a number of landowners have declined consent subject to further information and the identification of possible impacts to their properties which will include the requirement for Council to acquire portions of land.

Whilst Council officers will continue to discuss and attempt to negotiate mutually beneficial outcomes for both Council and the impacted property owners, objection from some impacted property owners is expected, regardless of the route alignment.

Council support is sought to enable officers to discuss with impacted landowners, arrangements for access for site survey and to commence discussions regarding the acquisition of land needed to deliver the works on the adopted route. It is proposed to commence land acquisition discussions with all impacted landowners to negotiate resolution by voluntary agreement. Where agreement cannot be reached voluntarily, it is proposed to follow processes associated with compulsorily acquiring the land in accordance with Section 10A of the *Land Acquisition (Just Terms Compensation) Act 1991*. To reduce the potential for delays it is proposed to run the compulsory acquisition process, which requires a minimum period of six (6) months negotiation prior to initiation, concurrently with the voluntary acquisition negotiations and the compulsory acquisition process will be activated where negotiation by voluntary agreement has not been achieved within the nominal six-month period.

As part of negotiations, independent property valuations will be undertaken to establish market value and the value of other relevant matters to be considered in determining amounts of compensation such as any loss attributable to severance, disturbance or disadvantage from relocation and contributory works like fencing, gates, etc. as required in accordance with Section 55 of the *Land Acquisition (Just Terms Compensation) Act 1991*.

Thirty (30) individual land parcels have been identified as being impacted by the proposed works. However, there are a number of owners that hold multiple parcels and some of these listed parcels are owned by Council and other authorities including Crown Land and Hunter Water Corporation. It is considered that negotiation will be required with sixteen (16) landowners to allow site access and acquisition of land to facilitate delivery of the project.

Whilst this report seeks support to commence discussions regarding acquisition of land over the impacted properties, details associated with the acquisition of land needed to deliver the shared path works will be reported to Council later for further approval.

CONCLUSION

Approval is sought on the identified preferred route for the segment of the Rutherford to Maitland to Morpeth Shared Pathway from Belmore Bridge to Walka Water Works.

ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS (Cont.)

Support is sought to allow works to continue to progress towards delivery and completion of the detail design stage of the project including engaging in discussions with impacted landowners to allow Council access and to acquire portions of land from parcels identified within this report.

FINANCIAL IMPLICATIONS

There are no financial implications or impacts on current budget, sufficient funds are available to complete the detail design and commence land acquisition. The funding to complete the cycleway construction will be subject to successful application of future grant funding or works programs. Council currently has \$84,884.00 for the project which can be allocated to fund land acquisitions.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no Statutory Implications arising from this report, the proposed Land acquisition methodology outlined in this report complies with the relevant sections of the Local Government Act 1993 and Land Acquisition (Just Terms Compensation) Act 1991.

Infrastructure and Works

ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS

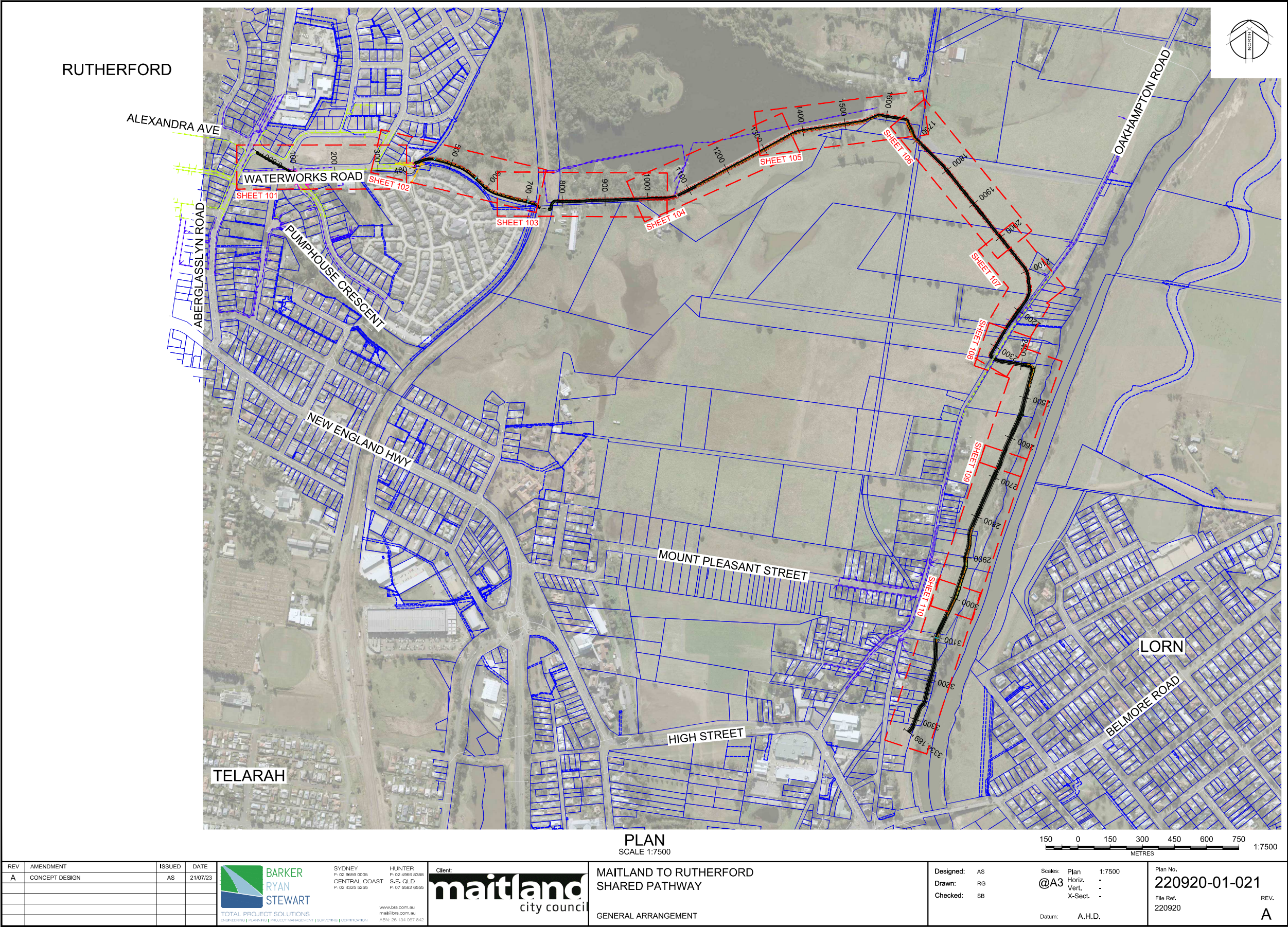
Maitland to Rutherford Shared Pathway General Arrangement Plan

Meeting Date: 23 January 2024

Attachment No: 1

Number of Pages: 1

ROUTE OPTIONS FOR A SHARED PATHWAY FROM BELMORE BRIDGE TO WALKA WATER WORKS (Cont.)



13.3 LOCAL TRAFFIC COMMITTEE MEETING MINUTES (DECEMBER 2023)

FILE NO:	140/5
ATTACHMENTS:	1. LTC Minutes - December 2023
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Kevin Stein - Manager Engineering & Design
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.2 Make our roads safer through the timely delivery of road maintenance and safety programs

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Traffic Committee meeting held Thursday 7 December 2023 are attached for information.

OFFICER'S RECOMMENDATION**THAT**

- 1. The Local Traffic Committee meeting minutes of 7 December 2023 be noted.**

REPORT

The minutes of Maitland City Council's Local Traffic Committee (LTC) Meeting held Thursday 7 December 2023 are attached for information. The LTC recommended regulatory items contained within these minutes have been authorised by the General Manager under Council's Instrument of Delegated Authority, dated 8 November 2022.

Infrastructure and Works

LOCAL TRAFFIC COMMITTEE MEETING MINUTES (DECEMBER 2023)

LTC Minutes - December 2023

Meeting Date: 23 January 2024

Attachment No: 1

Number of Pages: 10



LOCAL TRAFFIC COMMITTEE MEETING

MINUTES

7 DECEMBER 2023



7 DECEMBER 2023

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
COMMENCEMENT1		
1	ACKNOWLEDGEMENT OF COUNTRY.....	1
2	APOLOGIES AND LEAVE OF ABSENCE	1
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
4	BUSINESS ARISING FROM MINUTES	1
5	GENERAL BUSINESS.....	2
5.1	SOPHIA WATERS STAGE 4A - DUBLIN DRIVE, BALLURE ROAD, BALLYMORE DRIVE, REDGATE ROAD, VENTRY STREET - PROPOSED SIGNAGE & LINEMARKING PLAN	2
5.2	ROBERT ROAD HALF ROAD RECONSTRUCTION ADDITIONAL LINEMARKING & SIGNAGE	4
5.3	PROPOSED REGULATORY SIGNAGE AND LINE MARKING - LOUTH PARK ROAD, LOUTH PARK.....	5
5.4	ELGIN STREET MAITLAND - PROPOSED MODIFICATION TO DISABILITY PAKING SPACE	6
5.5	TIGERHAWK DRIVE AND HERITAGE DRIVE CHISHOLM INTERSECTION - "GIVE WAY" SIGN DUPLICATION	7
6	CLOSURE.....	8

LOCAL TRAFFIC COMMITTEE MEETING MINUTES

7 DECEMBER 2023

PRESENT

- Kevin Stein – Maitland City Council (Chairperson)
- Giovanna Kozary – State Member’s Representative
- Mark Morrison – Transport for NSW Representative
- David Moloney – Maitland City Council
- William Ridley – Hunter Valley Buses
- Chris Pinchen – Maitland City Council
- Steven Roach - Maitland City Council
- Kate Taylor – Maitland City Council
- Sam Dart - Maitland City Council
- Christina Devine – Maitland City Council (minute taker)

COMMENCEMENT

The meeting was declared open at 9:34 am.

1 ACKNOWLEDGEMENT OF COUNTRY

2 APOLOGIES AND LEAVE OF ABSENCE

Sen Const. Josh Tyacke – Maitland Police Representative

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RECOMMENDATION

THAT the minutes of the Local Traffic Committee Meeting held 2 November 2023 be confirmed.

4 BUSINESS ARISING FROM MINUTES

7 DECEMBER 2023

5 GENERAL BUSINESS

5.1 SOPHIA WATERS STAGE 4A - DUBLIN DRIVE, BALLURE ROAD, BALLYMORE DRIVE, REDGATE ROAD, VENTRY STREET - PROPOSED SIGNAGE & LINEMARKING PLAN

FILE NO: DA/2019/0652

ATTACHMENTS: 1. Sophia Waters Stage 4A - Line marking and Signage Plans

AUTHOR: Scott Porter - Senior Subdivision & Development Engineer
Chris Pinchen - Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Council has received the signage and line marking proposal for Sophia Waters Stage 4A Subdivision Raymond Terrace Road Chisholm (D.A. 2019/652). The signage and line marking proposal details the traffic management for the roundabout controlled intersection at Ballymore Drive/ Dublin Drive/ Ballure Road, and the median controlled intersection at Ballymore Drive/ Redgate Road/ Ventry Street intersection. The proposal also includes provision for pedestrians and cyclists, and bus transport access (bus zone).

OFFICER'S RECOMMENDATION

THAT

1. Line marking and Signage Plan – Sheet 1 Revision 1 (detailing Ballymore Drive/ Dublin Drive/ Ballure Road roundabout controlled intersection) for Sophia waters Stage 4A be approved.
2. Line marking and Signage Plan – Sheet 2 Revision 1 (Ballymore Drive/ Redgate Road/ Ventry Street intersection) for Sophia waters Stage 4A be approved.

COMMITTEE RECOMMENDATION

THAT

1. Line marking and Signage Plan – Sheet 1 Revision 1 (detailing Ballymore Drive/ Dublin Drive/ Ballure Road roundabout controlled intersection) for Sophia waters Stage 4A be approved.

LOCAL TRAFFIC COMMITTEE MEETING MINUTES (DECEMBER 2023) (Cont.)

7 DECEMBER 2023

- 2. Line marking and Signage Plan – Sheet 2 Revision 1 (Ballymore Drive/ Redgate Road/ Ventry Street intersection) for Sophia waters Stage 4A be approved.**

7 DECEMBER 2023

5.2 ROBERT ROAD HALF ROAD RECONSTRUCTION ADDITIONAL LINEMARKING & SIGNAGE

FILE NO: 4035-2A

ATTACHMENTS: 1. 4035-2A Robert Road - Sheet 17 Linemarking

AUTHOR: Tony O'Beirne - Senior Design Officer
Chris Pinchen - Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Approval is sought for the duplication of E1 line to the west side of Robert Road and include S1 centreline marking for the full length of construction, except for BB line marking at the road narrowing and intersection with Christopher Road. C3 'No Stopping' line marking will be installed on the south-west kerb return of the intersection of Robert and Christopher Lane. A R1-2A 'Give way' sign and TB line marking is to be reinstalled at the same intersection as above. Special restrictive parking signage is also to be reinstalled adjacent to the Rural Fire Service building.

OFFICER'S RECOMMENDATION**THAT**

1. The regulatory signage and line marking, as shown in the line marking plans 4035-2A Robert Road – Sheet 17 Linemarking be approved.

COMMITTEE RECOMMENDATION**THAT**

1. The regulatory signage and line marking, as shown in the line marking plans 4035-2A Robert Road – Sheet 17 Linemarking be approved.

7 DECEMBER 2023

5.3 PROPOSED REGULATORY SIGNAGE AND LINE MARKING - LOUTH PARK ROAD, LOUTH PARK

FILE NO: 222/358

ATTACHMENTS: 1. Plan No. 4110-1B Louth Park Road, Louth Park Line-marking and Signage Conceptual Plan

AUTHOR: Kevin Tseng - Civil Engineer
Chris Pinchen - Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Following the completion of FY 23/24 Capital Works – Road Rehabilitation on Louth Park Road, this proposed line-marking and signage plan aims to improve safety and delineation on road curves and road intersections along Louth Park Road.

OFFICER'S RECOMMENDATION**THAT**

1. The line-marking and signage plan 4110-1B dated 22/11/2023 Louth Park Road, Louth Park Line-marking and Signage Plan(s) 1 & 2 be approved.

COMMITTEE RECOMMENDATION**THAT**

1. The line-marking and signage plan 4110-1B dated 22/11/2023 Louth Park Road, Louth Park Line-marking and Signage Plan(s) 1 & 2 be approved.

7 DECEMBER 2023

**5.4 ELGIN STREET MAITLAND - PROPOSED MODIFICATION TO DISABILITY
PAKING SPACE**

FILE NO: 2023/392186
ATTACHMENTS: Nil
AUTHOR: Babita Subedi - Infrastructure Investigations Engineer
Chris Pinchen - Operations Manager Transport &
Infrastructure Engineering

EXECUTIVE SUMMARY

The purpose of this report is to seek approval to modify the existing on street disability parking space located at Elgin Street in front of House No 11 to general unrestricted parking space.

OFFICER'S RECOMMENDATION**THAT**

1. The existing on-street parallel disability parking space located in front of House number 11 be converted to unrestricted parking.

COMMITTEE RECOMMENDATION**THAT**

1. The existing on-street parallel disability parking space located in front of House number 11 be converted to unrestricted parking subject to concurrence from the Disability Inclusion Committee.

7 DECEMBER 2023

5.5 TIGERHAWK DRIVE AND HERITAGE DRIVE CHISHOLM INTERSECTION - "GIVE WAY" SIGN DUPLICATION**FILE NO:** 222/1556**ATTACHMENTS:** Nil**AUTHOR:** Chris Pinchen - Operations Manager Transport & Infrastructure Engineering**EXECUTIVE SUMMARY**

Duplication of Give Way signage and the enlargement of signage is considered to be beneficial for improving visibility of the existing intersection conditions to Tigerhawk Drive and Heritage Drive, Chisholm and is recommended for approval.

OFFICER'S RECOMMENDATION**THAT**

1. The duplication of Give Way signage on each leg of Heritage Drive Chisholm on approach to the Tigerhawk Drive intersection be approved.

COMMITTEE RECOMMENDATION**THAT**

1. The duplication of Give Way signage on each leg of Heritage Drive Chisholm on approach to the Tigerhawk Drive intersection be approved.

LOCAL TRAFFIC COMMITTEE MEETING MINUTES (DECEMBER 2023) (Cont.)

LOCAL TRAFFIC COMMITTEE MEETING MINUTES

7 DECEMBER 2023

6 CLOSURE

The meeting was declared closed at 10:01 am.

14 STRATEGY, PERFORMANCE AND BUSINESS SYSTEMS

14.1 FINAL COUNCIL MEETING PRIOR TO 2024 LOCAL GOVERNMENT ELECTION

FILE NO:	35/7
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Stephen McDonald - Manager Governance and Risk
AUTHOR:	Tina Nay - Senior Governance Officer
MAITLAND +10	Outcome 14 To have elected leaders that look out for us
COUNCIL OBJECTIVE:	14.1.1 Increase opportunities for all members of our community to have their say in decision making

EXECUTIVE SUMMARY

The next Local Government Election is scheduled to be held on Saturday 14 September 2024. Council has engaged the NSW Electoral Commissioner (NSWEC) to administer its election.

Councils are expected to assume a 'caretaker' role during election periods to ensure no major decisions are made that would limit the actions of an incoming Council.

Considering these requirements, it is proposed that Council sets 27 August 2024 as the date of the final Council meeting of this term.

The first meeting of the new Council will be held at the discretion of the General Manager after the declaration of the election. This is in accordance with Council's Code of Meeting Practice.

OFFICER'S RECOMMENDATION

THAT

1. The final Council meeting for this term be held on Tuesday 27 August 2024.

REPORT

The 2024 Local Government Election is scheduled for Saturday 14 September 2024.

Councils are expected to assume a 'caretaker' role during election periods to ensure no major decisions are made that would limit the actions of an incoming Council. Considering these requirements, it is proposed that Council sets 27 August 2024 as the date of the final Council meeting of this term.

The Office of Local Government will formalise the duration of the 'caretaker' period for all Councils in the led up to the election. The purpose of the caretaker period is to prevent

FINAL COUNCIL MEETING PRIOR TO 2024 LOCAL GOVERNMENT ELECTION (Cont.)

major decisions being made by Council just before the end of the current term. The caretaker period normally commences 30 days before the election.

The Office of the Local Government will release additional information on the key dates and publication timelines within the next few months. A further report will be prepared for council once the information is publicly available.

The following schedule on the NSW Electoral Commission website outlines the steps leading up to and after the election:

Date	Actions
22 July 2024	Advertising of enrolments
5 August 2024	Start of regulated period for electoral material. Lodgement of nominations open. Close of roll for the purposes of being a candidate, nominator and roll printing.
6 August 2024	Lodgement of postal vote applications open
12 August 2024	Last day to lodge second half-yearly political donations disclosure.
14 August 2024	Close of nominations and close of registration of candidates and groups. Registration of electoral materials open.
15 August 2024	Ballot paper draw conducted. Uncontested elections declared.
19 August 2024	Postal packs distribution begins
2 September 2024	Pre-poll voting period opens. Display of registered electoral material website commences
6 September 2024	Registration of electoral material closes.
9 September 2024	Voting opens
13 September 2024	Pre-poll voting period closes
14 September 2024	Election Day
22 September 2024	Last day to lodge annual electoral expenditure disclosure.
27 September 2024	End of postal vote return.
30 September 2024	Progressive distribution of preferences.
1 October 2024	Progressive declaration of results.

The first meeting of the new Council will be held at the discretion of the General Manager after the declaration of the election. This is in accordance with Council's Code of Meeting Practice. The timeline provided by the NSW Electoral Commission above, schedules the declaration of the election on the 1 October 2024.

FINAL COUNCIL MEETING PRIOR TO 2024 LOCAL GOVERNMENT ELECTION (Cont.)

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

14.2 STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 30 November 2023 2. Council's Holdings as at 31 December 2023
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Annette Peel - Manager Finance & Procurement
AUTHOR:	Laura Barry - Financial Accountant
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

EXECUTIVE SUMMARY

Clause 212 of the Local Government (General) Regulation 2021 requires Council to report monthly on its investments. This report presents reports for both November and December 2023, as timeframes were not sufficient to enable a report to be prepared for the meeting of December.

As at the end of November 2023, Council had investments totalling \$217,422,365 under management.

Council's investment portfolio recorded a marked-to-market return of 5.54% per annum versus the bank bill index benchmark return of 4.34% per annum. The actual investment return for the month of November was \$951,595, a favourable variance of \$308,344 when compared to the monthly budget forecasts of \$643,251.

As at the end of December 2023, Council had investments totalling \$214,429,881 under management.

Council's investment portfolio recorded a marked-to-market return of 5.75% per annum versus the bank bill index benchmark return of 4.43% per annum. The actual investment return for the month of December was \$1,065,978, a favourable variance of \$422,727 when compared to the monthly budget forecasts of \$643,251.

Council remains fully compliant with all Investment Policy requirements.

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.**

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

REPORT

Due to the suspension of Council meetings after the meeting of 12 December 2023, reporting of the Statement of Investments for the months of November and December 2023 has been consolidated into one report. Monthly reporting of the Statement of Investments to the Policy and Finance Committee meeting will resume from the meeting of 27 February 2024.

STATEMENT OF INVESTMENTS AS AT 30 NOVEMBER 2023

For the month of November 2023, Council has total cash on call and investments of \$217,422,365 comprising:

- On call accounts \$7,991,360
- Investments \$209,431,005

This is compared to the month of October 2023 where Council had \$206,914,838 under management. The increase is due to the availability of rate funds around the second quarterly due date.

Whilst Council has in excess of \$200 million under management, 56% of the portfolio is externally restricted funds, pertaining to developer contributions and domestic waste management reserves.

In November, Council's investment portfolio recorded a marked-to-market return of 5.54% per annum versus the bank bill index benchmark return of 4.34% per annum. Over the past 12 months, the investment portfolio has returned a marked-to-market return of 4.06% per annum versus the bank bill index benchmark's 3.76%.

Long dated market rates dropped in November in reaction to sentiment that most major countries' central banks may be at the end of their rate hike cycles. Domestically, a lower-than-expected monthly inflation release also helped give a boost to Australian bond valuations resulting in strong performance for Council's bond portfolio and overall mark to market performance.

Without marked-to-market influences, Council's investment portfolio yielded 4.76% per annum in November, up from 4.66% per annum in October. This is based on the actual interest income being earned on existing investments and excludes the underlying changes to the market value of the bonds in the portfolio.

During November, Council had \$11 million among four term deposits mature with terms ranging between 3 to 24 months paying an average of 3.75% per annum. Council invested \$17.5 million among several new Suncorp term deposits with maturities ranging between 5 and 13 months paying an average of 5.43% per annum, providing a good boost to the portfolio's overall yield.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Council took advantage of a newly issued senior ranked bond from Police Bank for its long-term portfolio. Council invested \$2 million in the 3-year floating rate note paying quarterly interest of 3 month Bank Bill Swap Rate + 1.55% per annum. The first rate set on the floating rate note is 5.93% per annum.

Council also invested \$2 million in a 5 year NAB floating rate note paying quarterly interest of 3 month Bank Bill Swap Rate + 1.03%. As part of this transaction, Council sold an existing \$2 million NAB floating rate note which was due to mature in June 2024, locking in a capital gain on the exposure.

Council has a well-diversified portfolio invested among a range of term deposits, fixed rate bonds and floating rate notes from highly rated Australian authorised deposit-taking institutions.

Global issues:

- Inflation data is trending lower across the United States, Canada, United Kingdom, and Europe leading economists to predict that central banks there have reached the end of their tightening cycle. Further rate hikes in Australia and Japan remain possibilities with both countries having reached peak inflation later than most.
- In the United States, data is indicating that the Federal Reserve's interest rate management may avoid a sharp decrease in economic growth. Unites States profit results continue to surprise on the upside making it the best reporting season in two years; policy uncertainty diminished a bit with the United States and China looking to ease tensions and the United States Congress averted a shutdown with temporary funding.
- The temporary truce between Israel and Hamas, which could see an eventual resolution to the conflict, along with the fact that the war has not widened to include major oil producers, has boosted sentiment in financial markets. Oil prices are well below their level prior to the conflict helping to ease inflationary fears that were building.
- In China, the economic outlook remains uncertain. The economy is recovering modestly, driven by activity in the services sector, but the level of growth remains below forecasters' expected trend. The property sector remains very weak, which may result in a pronounced adverse effect on the Chinese economy as a whole.
- Global (and domestic) shares and bonds had a good rally in November. In the short-term, financial markets could lift further on positive seasonality into the end of the year, the temporary truce between Israel and Hamas, which may result in a resolution to the conflict and signs that interest rates are not headed higher across most major economies and falling bond yields.

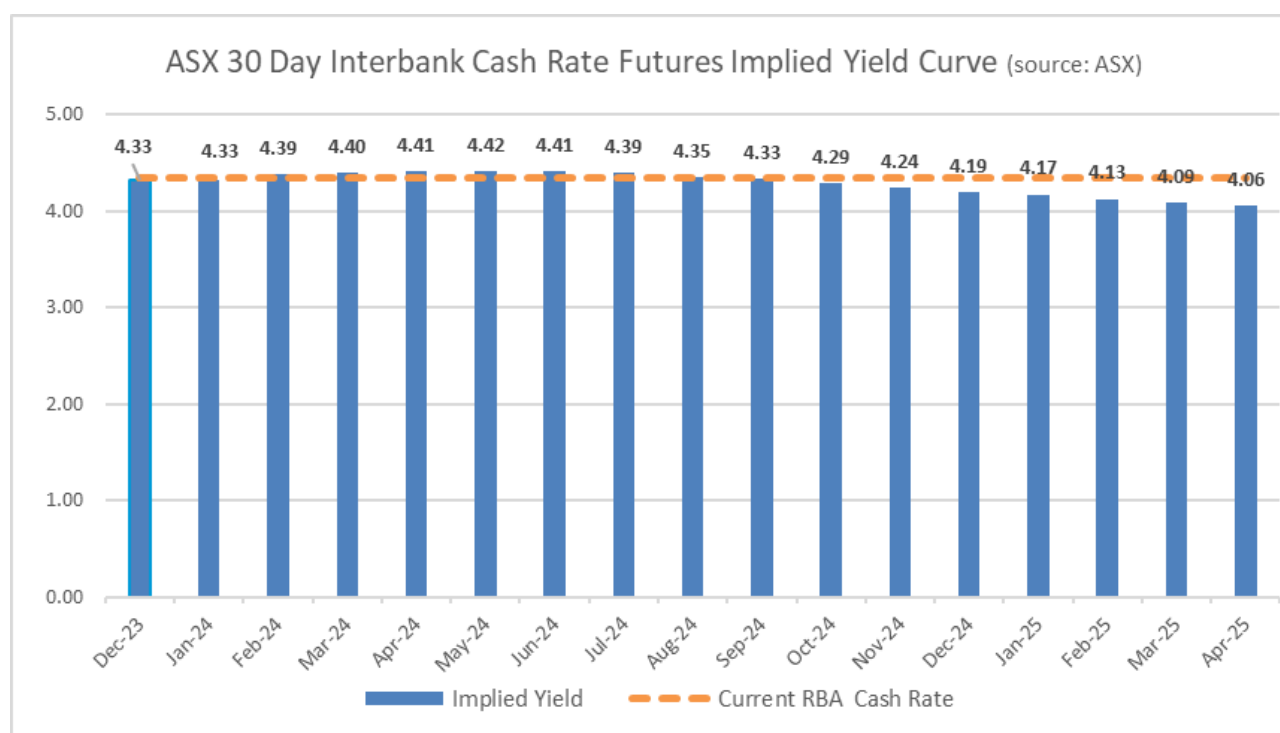
STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Domestic issues:

- The jobs market is still tight, but it is gradually easing with unemployment (at 3.7%) and underemployment (at 6.3%) both up from their lows in October 2022. Various leading indicators point to softer jobs growth ahead including a rising trend in applicants.
- The monthly inflation release showed annual inflation fell to 4.90% in October from 5.60% in September, as price pressures for consumer goods moderated due to falling demand.
- The monthly consumer price indicator was lower than economists' expectations of a 5.20% outcome and cements the market's view that the RBA board will likely keep the cash rate on hold at 4.35% at its final meeting of the year.

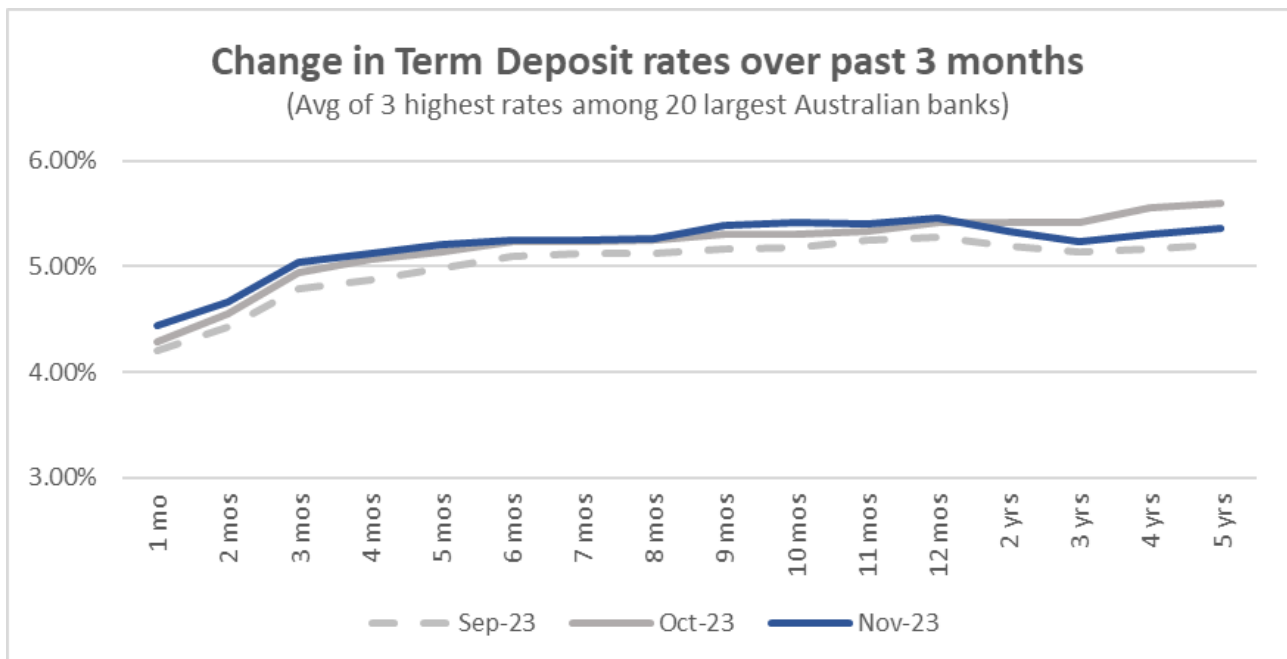
Interest rates:

- At its November meeting, the RBA raised the official cash rate by 25 basis points to 4.35%. Despite the recent run of good news on the international front, with inflation continuing to ease in North America and Europe, the RBA remains very cautious when it comes to the domestic inflation, emphasizing that *'the remaining inflation challenge is increasingly homegrown and demand driven'*.
- The central bank's projection is for inflation to only reach the upper area of its 2-3% inflation target by late 2025. It was reiterated that the RBA has a "low tolerance" for a slower fall in inflation than expected and if it is higher than expected then it would respond with another rate hike.
- The market is giving more credence to the latest inflation data than to the RBA's comments, pricing in no further interest rate hikes and a rate cut by March 2025:



STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

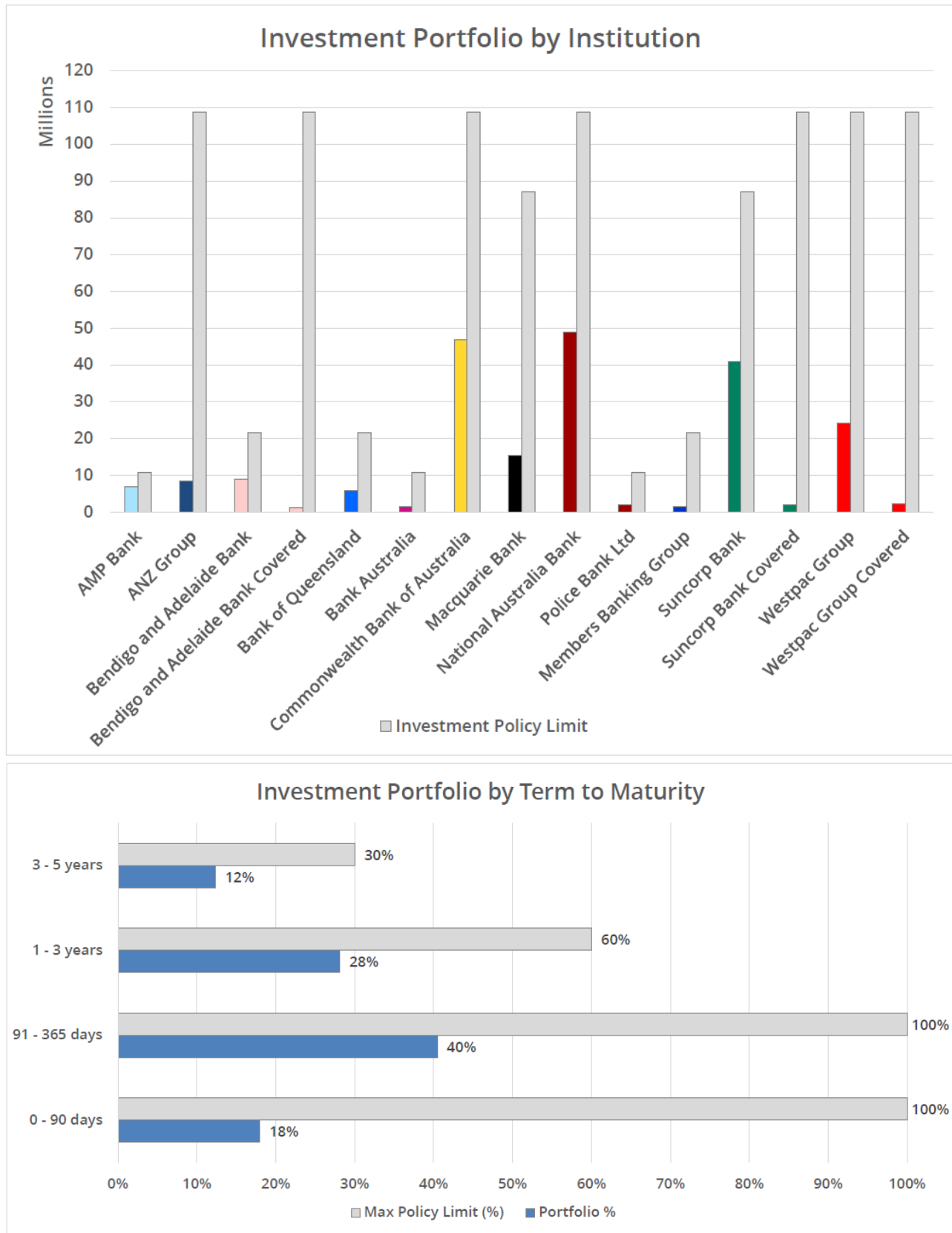
- In November, term deposit rates across the 1 to 12 month range were little changed from last month as the market had largely priced in the early November rate hike by the end of October. The benign inflation figures released at the end of November indicated a possible reprieve from another rate hike in this cycle, causing a drop in 2 year to 5 year term deposit rates by an average of 20 basis points.



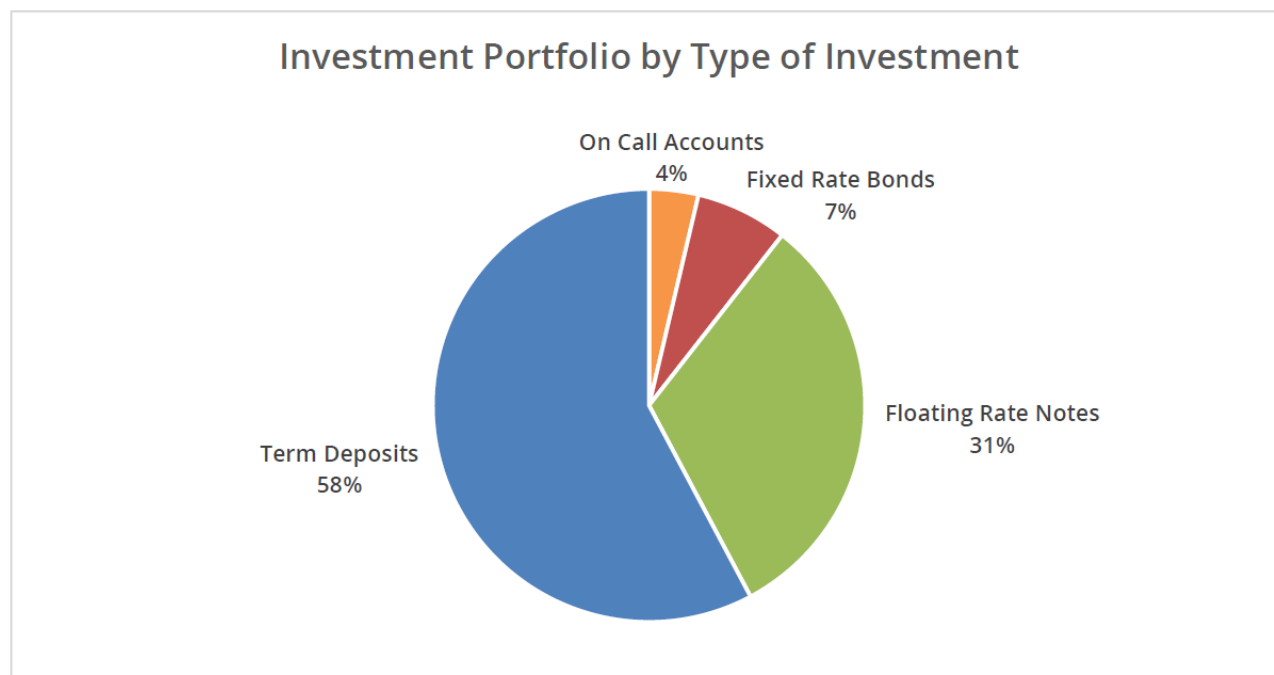
All market commentary is provided by Prudential Investment Services who advise on the management of Council's investment portfolio.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

PORTFOLIO ANALYSIS



STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)



STATEMENT OF COMPLIANCE

Portfolio Performance vs 90 day Bank Bill Index	✓	Council's investment performance did exceed the benchmark for the month of November 2023
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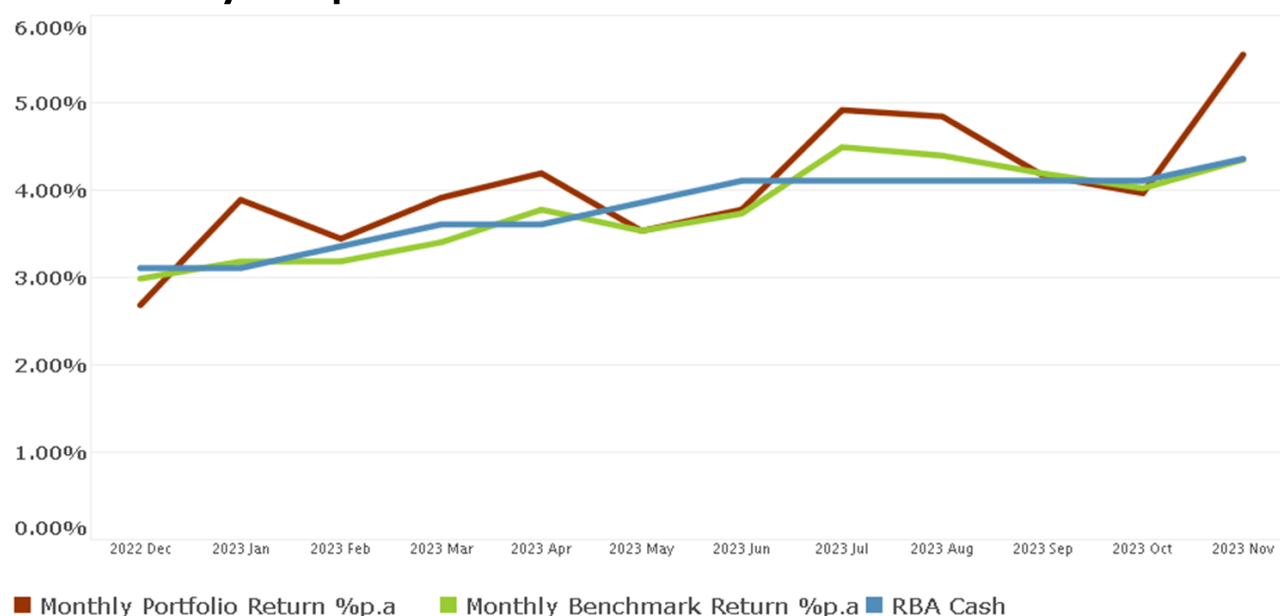
Investment Policy Requirement

Legislative requirements	✓	Fully compliant
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

Investment Performance v Benchmark

Term	Investment Portfolio Return	Benchmark: Bloomberg AusBond 90 day Bank Bill Index	RBA cash rate
1 month	5.54%	4.34%	4.35%
3 months	4.54%	4.18%	4.18%
6 months	4.53%	4.19%	4.14%
FYTD	4.68%	4.28%	4.15%
12 months	4.06%	3.76%	3.79%

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Monthly Comparison: Investment Performance vs Benchmark**STATEMENT OF INVESTMENTS AS AT 31 DECEMBER 2023**

For the month of December 2023, Council has total cash on call and investments of \$214,429,881 comprising:

- On call accounts \$5,998,876
- Investments \$208,431,005

This is compared to the month of November 2023 where Council had \$217,422,365 under management.

Whilst Council has in excess of \$200 million under management, 55% of the portfolio is externally restricted funds, pertaining to developer contributions and domestic waste management reserves.

In December, Council's investment portfolio recorded a marked-to-market return of 5.75% per annum versus the bank bill index benchmark return of 4.43% per annum. Over the past 12 months, the investment portfolio has returned a marked-to-market return of 4.33%, versus the bank bill index benchmark's 3.89%.

Long dated market rates continued to decrease in December as further economic data signalled that most major countries' central banks may be at the end of their rate hike cycles. Domestically, the most recent Gross Domestic Product figures showed that consumers' budgets are being squeezed with the RBA's interest rate hikes to date, leading the market to project no further rate hikes in this cycle. Consequently, Australian bond valuations strengthened again in December resulting in strong performance for Council's bond portfolio and overall mark to market performance.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Without marked-to-market influences, Council's investment portfolio yielded 4.89% per annum in December, up from 4.76% per annum in November. This is based on the actual interest income being earned on existing investments and excludes the underlying changes to the market value of the bonds in the portfolio.

During December, Council had \$6 million between two 10 month deposits mature paying an average of 4.85% per annum. A \$3 million 5 year ANZ Floating Rate Note investment paying 3 month Bank Bill Swap Rate +1.03% also matured during the month. Council invested \$8 million among 5, 6 and 8 month deposits paying an average of 5.17% per annum, locking in a good level above 5% before rates slipped lower.

Council has a well-diversified portfolio invested among a range of term deposits, fixed rate bonds and floating rate notes from highly rated Australian authorised deposit-taking institutions.

Global issues:

- It's now looking almost certain that rates have peaked in major central banks and they are moving towards rate cuts. This is all being driven by the ongoing fall in inflation, with United States consumer price inflation falling again and a bigger than expected fall in producer price inflation.
- The past month saw several central banks – the United States Federal Bank, the European Central Bank, the Bank of England along with central banks in Switzerland, the Philippines and Taiwan – all leave interest rates on hold.
- The United States inflation rate peaked in June 2022 which was several months ahead of other countries (October 2022 for the Eurozone and United Kingdom and December 2022 in Australia) and so it has experienced a longer period of slowing. The United States Federal Bank held rates at 5.25-5.50% but noted that growth and inflation have slowed and is allowing for three rate cuts in 2024 possibly starting in the June quarter.
- The peaking in global interest rates and shift towards rate cuts led by the United States Federal Bank is a good sign for the Reserve Bank of Australia. Just as Australian inflation and interest rates lagged the pickup in United States and global inflation and interest rates by a few months its likely to also do the same on the way down.

Domestic issues:

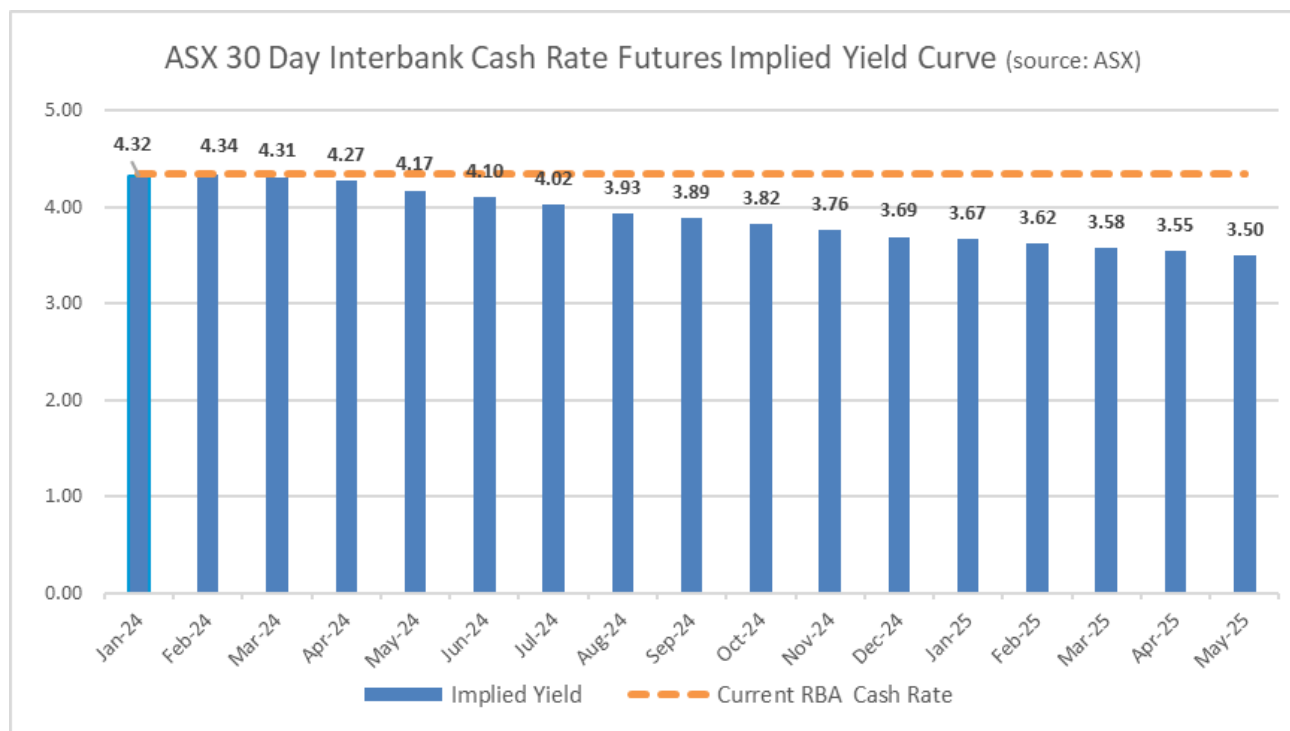
- September quarter Gross Domestic Product and other data released in December leave no doubt that the domestic household sector is getting hit hard by the RBA rate hikes. While annual Gross Domestic Product growth was stronger than expected at 2.1% year on year, this reflected upwards revisions to past quarters with September quarter Gross Domestic Product growth coming in well below expectations at 0.2% quarter on quarter.
- Consumer spending stalled in the September quarter and down 2% per person over the last year which highlights that the average Australian is cutting back discretionary spending.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

- While labour income has been strong, this is being swamped by increasing mortgage payments and higher tax payments. The share of gross household income devoted to mortgage payments and tax payments are now both at, or around record highs.
- Consumer confidence rose slightly in December on the RBA rate pause but remains depressed and business confidence surveys fell, albeit business conditions are still okay but also falling. All things being equal this is consistent with soft growth.

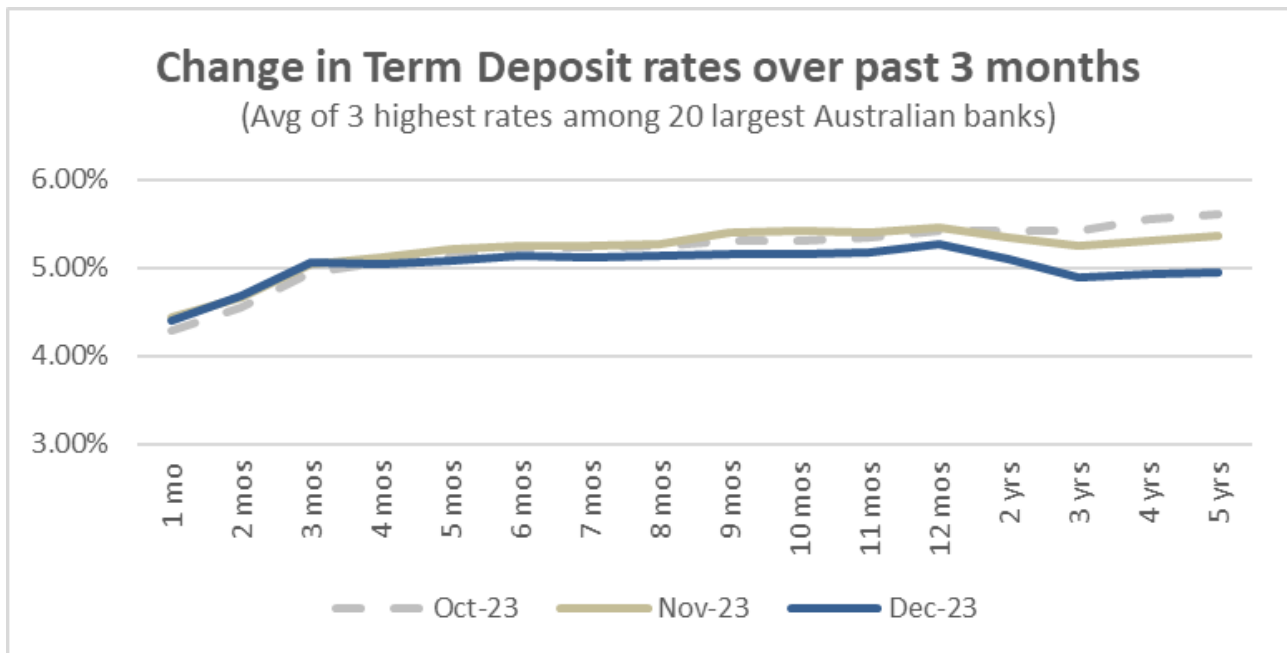
Interest rates

- At its December meeting, the RBA kept the official cash rate unchanged at 4.35% noting that economic data received over the prior month had been broadly in line with expectations. Inflation had continued to decline but remained high and wages growth had reached 4% sooner than expected but is unlikely to rise much further.
- The RBA Board agreed that “*whether*” further tightening of monetary policy is required will depend on how the global economy, trends in domestic demand, and the outlook for inflation and the labour market alter the economic outlook and the evolving assessment of risks.
- The market is pricing in no further interest rate hikes for this cycle and as much as 85 basis points in rate cuts by mid-2025:



STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

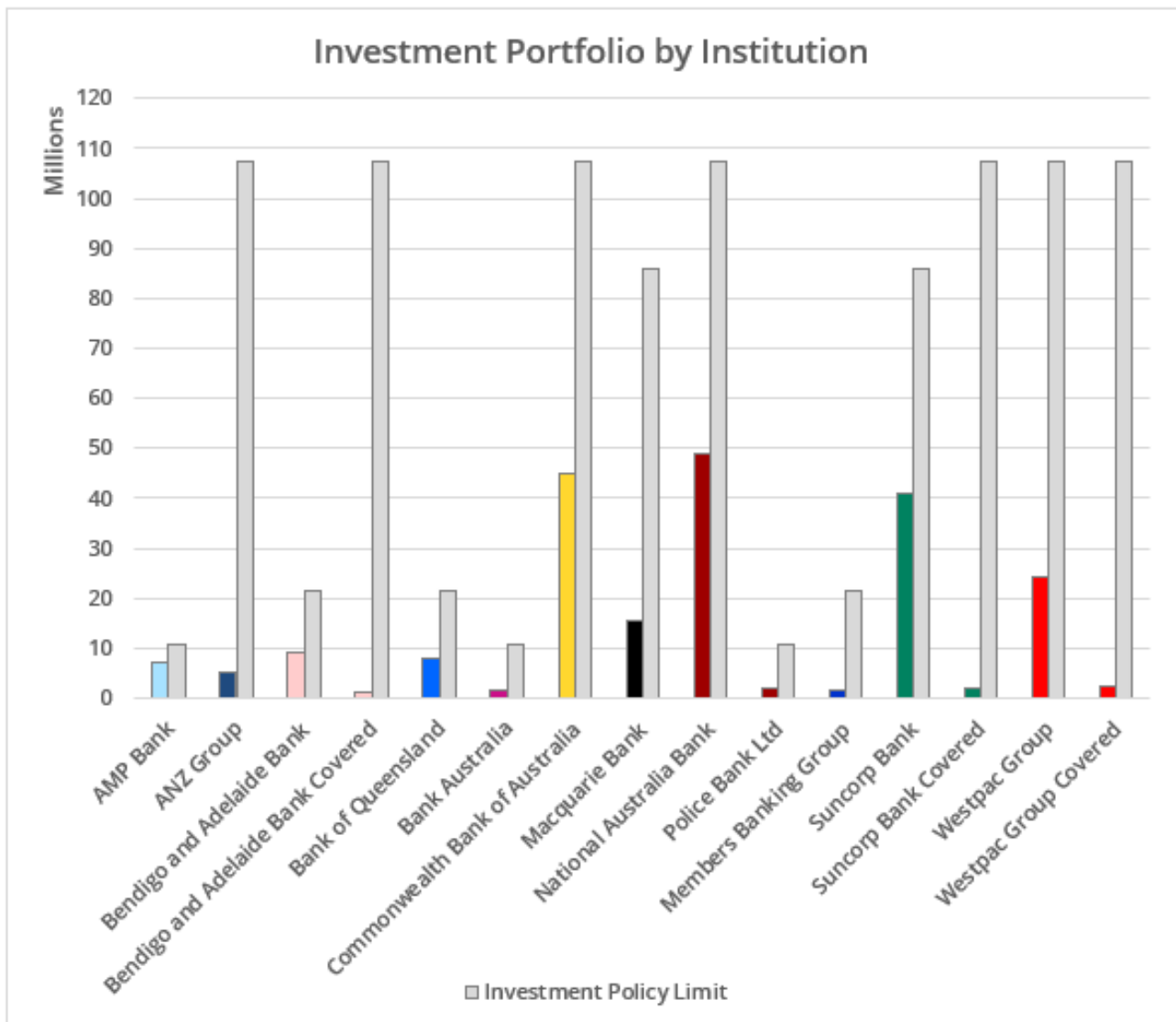
- In December, term deposit rates across the 1 to 3 month range were little changed from last month, but then dropped off for terms between 3 months to 5 years as the market priced in a reprieve from another rate hike in this cycle and the prospect of interest rate cuts starting within six months.



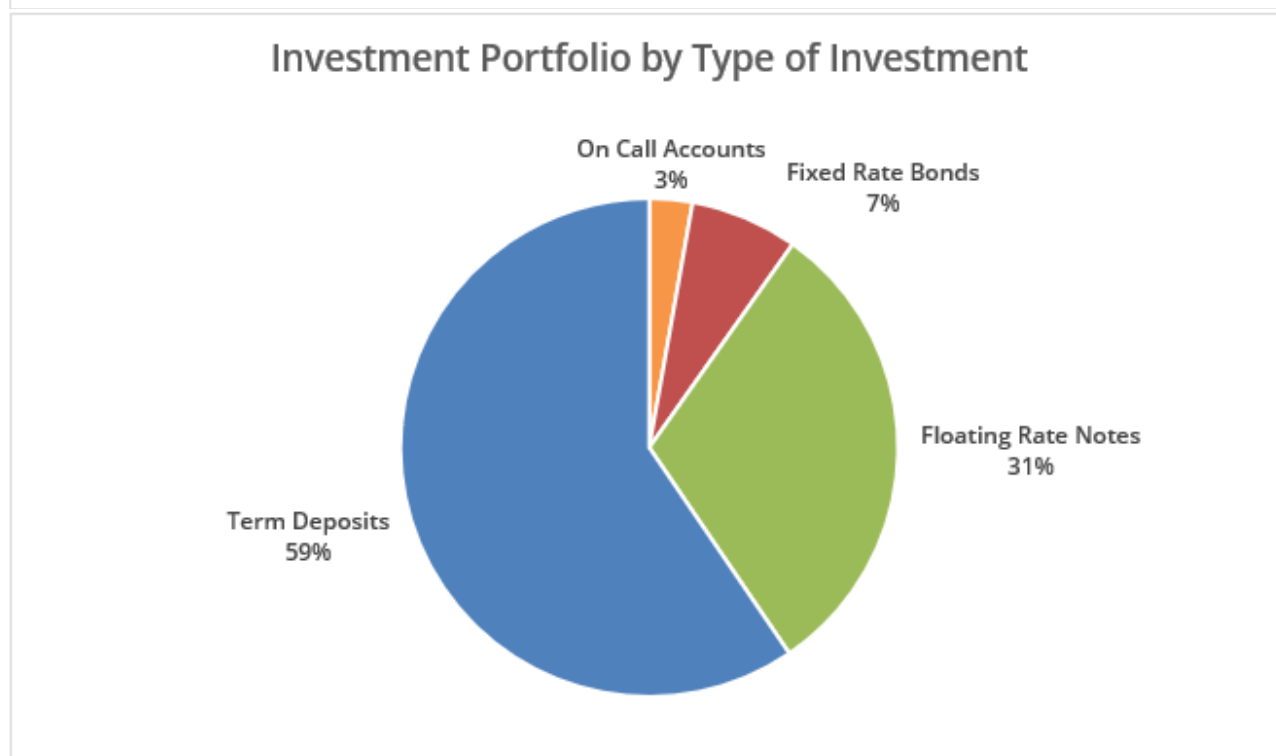
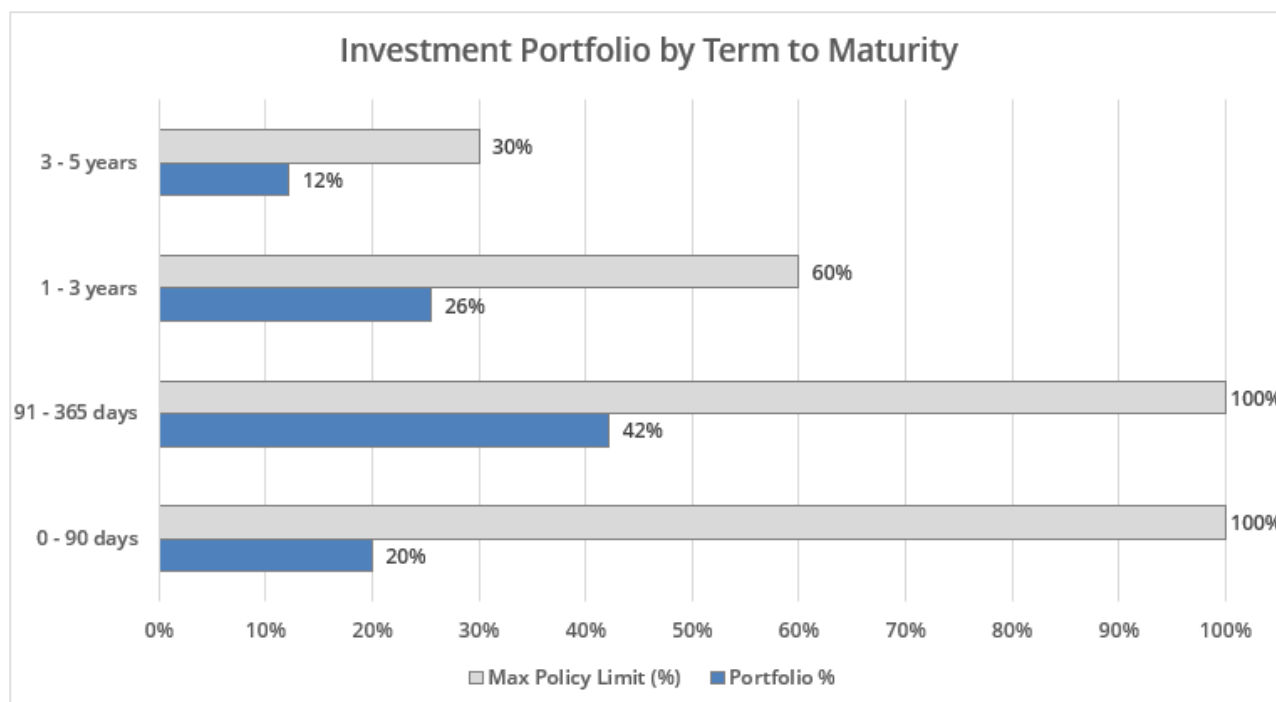
All market commentary is provided by Prudential Investment Services who advise on the management of Council's investment portfolio.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

PORTFOLIO ANALYSIS



STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

**INVESTMENT PORTFOLIO AT A GLANCE**

Portfolio Performance vs 90 day Bank Bill Index	✓	Council's investment performance did exceed the benchmark for the month of December 2023
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STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Investment Policy Requirement

Legislative requirements	✓	Fully compliant
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

Investment Performance v Benchmark

Term	Investment Portfolio Return	Benchmark: Bloomberg AusBond 90 day Bank Bill Index	RBA cash rate
1 month	5.75%	4.43%	4.35%
3 months	5.07%	4.26%	4.27%
6 months	4.86%	4.31%	4.18%
FYTD	4.86%	4.31%	4.18%
12 months	4.33%	3.89%	3.89%

Monthly Comparison: Investment Performance vs Benchmark



CONCLUSION

Certification of the Responsible Accounting Officer

The Responsible Accounting Officer certifies that the investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

FINANCIAL IMPLICATIONS

The actual investment return for the month of November was \$951,595. This amounts to a favourable variance of \$308,344 when compared to the monthly budget forecasts of \$643,251. It should be noted that \$199,078 of this variance has been reallocated back to the externally restricted funds.

The actual investment return for the month of December was \$1,065,978. This amounts to a favourable variance of \$422,727 when compared to the monthly budget forecasts of \$643,251. It should be noted that \$239,642 of this variance has been reallocated back to the externally restricted funds.

The year-to-date budget forecast for investment returns is \$3,859,506. The actual investment returns for the year to date are \$5,188,937, amounting to a favourable variance of \$1,329,431 which can be attributed to the current high interest rate environment.

POLICY IMPLICATIONS

Council's investments are made in accordance with Council's Investment Policy.

STATUTORY IMPLICATIONS

The above amounts have been invested and reported in accordance with:

- Section 625 of the Local Government Act, 1993
- Clause 212 of the Local Government (General) Regulation 2021

Strategy, Performance and Business Systems

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023

Council's Holdings as at 30 November 2023

Meeting Date: 23 January 2024

Attachment No: 1

Number of Pages: 2

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

COUNCIL'S HOLDING AS AT 30 NOVEMBER 2023

Bonds							
	Face Value	Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
11-Jan-24	2,500,000.00	3.0000	CBA Snr Bond (Jan24) 3.00%	AA-	11-Jan-24	42	2,524,727.50
30-Jan-24	2,000,000.00	1.8500	SUN Snr Bond (Jul24) 1.85%	A+	30-Jul-24	243	1,971,074.43
12-Feb-24	1,800,000.00	3.9000	WBC Snr Bond (Aug25) 3.90%	AA-	11-Aug-25	620	1,790,307.73
19-Feb-24	2,000,000.00	4.2000	CBA Snr Bond (Aug25) 4.20%	AA-	18-Aug-25	627	1,999,933.68
13-May-24	2,300,000.00	4.9000	WBC Snr Bond (Nov25) 4.90%	AA-	11-Nov-25	712	2,302,721.08
19-Feb-24	1,500,000.00	4.7500	CBA Snr Bond (Aug26) 4.75%	AA-	17-Aug-26	991	1,510,888.09
14-Mar-24	1,400,000.00	4.9460	MAC Snr Bond (Sep26) 4.946%	A+	14-Sep-26	1,019	1,408,416.38
19-Mar-24	1,500,000.00	5.0000	WBC Snr Bond (Sep28) 5.00%	AA-	19-Sep-28	1,755	1,504,796.21
Totals	15,000,000.00	3.9626					15,012,865.09
Cash							
	Face Value	Current Yield	Borrower	Credit Rating			Current Value
30-Nov-23	1,991,360.41	4.7157	Macquarie Bank	A+			1,991,360.41
30-Nov-23	6,000,000.00	4.4000	National Australia Bank	AA-			6,000,000.00
Totals	7,991,360.41	4.4787					7,991,360.41
Floating Rate Note							
Reset/ Coupon	Face Value	Current Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
6-Dec-23	3,000,000.00	5.1528	ANZ Snr FRN (Dec23) BBSW+1.03%	AA-	6-Dec-23	6	3,036,501.46
30-Jan-24	1,200,000.00	5.1218	SUN Snr FRN (Jul24) BBSW+0.78%	A+	30-Jul-24	243	1,206,540.41
7-Feb-24	3,000,000.00	5.1672	MAC Snr FRN (Aug24) BBSW+0.80%	A+	7-Aug-24	251	3,015,903.72
16-Jan-24	2,000,000.00	4.9117	ANZ Snr FRN (Jan25) BBSW+0.76%	AA-	16-Jan-25	413	2,017,960.18
22-Jan-24	2,000,000.00	4.9800	NAB Snr FRN (Jan25) BBSW+0.77%	AA-	21-Jan-25	418	2,016,802.19
12-Feb-24	5,000,000.00	5.2586	MAC Snr FRN (Feb25) BBSW+0.84%	A+	12-Feb-25	440	5,026,669.21
18-Dec-23	2,000,000.00	5.0994	BEN Snr FRN (Mar25) BBSW+0.98%	BBB+	17-Mar-25	473	2,023,117.02
18-Dec-23	2,400,000.00	4.8094	WBC Snr FRN (Mar25) BBSW+0.69%	AA-	17-Mar-25	473	2,427,831.94
24-Jan-24	2,000,000.00	5.3473	SUN Cov FRN (Apr25) BBSW+1.12%	AAA	24-Apr-25	511	2,021,834.10
12-Feb-24	2,000,000.00	5.1886	ANZ Snr FRN (May25) BBSW+0.77%	AA-	12-May-25	529	2,010,755.52
20-Feb-24	2,300,000.00	5.1128	WBC Cov FRN (May25) BBSW+0.73%	AAA	20-May-25	537	2,308,385.44
29-Feb-24	2,500,000.00	5.2674	NAB Snr FRN (May25) BBSW+0.90%	AA-	30-May-25	547	2,512,010.78
11-Dec-23	4,000,000.00	4.6070	MAC Snr FRN (Dec25) BBSW+0.48%	A+	9-Dec-25	740	4,018,417.65
26-Feb-24	1,500,000.00	5.8786	RACQ Snr FRN (Mat 26) BBSW+1.50%	BBB+	24-Feb-26	817	1,493,861.10
26-Feb-24	1,700,000.00	4.8286	SUN Snr FRN (Feb26) BBSW+0.45%	A+	24-Feb-26	817	1,685,135.26
19-Feb-24	2,000,000.00	5.4328	SUN Snr FRN (May26) BBSW+1.05%	A+	18-May-26	900	2,007,574.56
26-Feb-24	3,900,000.00	4.7886	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	24-Aug-26	998	3,869,885.61
15-Dec-23	2,300,000.00	4.6073	SUN Snr FRN (Sep26) BBSW+0.48%	A+	15-Sep-26	1,020	2,291,810.87
30-Jan-24	1,650,000.00	5.8418	BOz Snr FRN (Oct26) BBSW+1.50%	BBB	30-Oct-26	1,065	1,657,963.85
19-Feb-24	2,000,000.00	5.9305	POL Snr FRN (Nov26) BBSW+1.55%	BBB	17-Nov-26	1,083	2,004,549.42
15-Jan-24	2,000,000.00	4.8517	CBA Snr FRN (Jan27) BBSW+0.70%	AA-	14-Jan-27	1,141	2,006,228.94
25-Jan-24	2,250,000.00	5.0229	SUN Snr FRN (Jan27) BBSW+0.78%	A+	25-Jan-27	1,152	2,245,143.84
26-Feb-24	2,400,000.00	5.0975	NAB Snr FRN (Feb27) BBSW+0.72%	AA-	25-Feb-27	1,183	2,395,268.71
26-Feb-24	2,500,000.00	5.5775	NAB Snr FRN (Nov27) BBSW+1.20%	AA-	25-Nov-27	1,456	2,531,083.08
14-Dec-23	1,100,000.00	5.3725	SUN Snr FRN (Dec27) BBSW+1.25%	A+	14-Dec-27	1,475	1,118,239.05
15-Jan-24	3,000,000.00	5.3041	CBA Snr FRN (Jan28) BBSW+1.15%	AA-	13-Jan-28	1,505	3,050,701.72
12-Feb-24	2,500,000.00	5.4186	NAB Snr FRN (May28) BBSW+1.00%	AA-	12-May-28	1,625	2,516,630.47
18-Dec-23	1,200,000.00	5.2694	BEN Cov FRN (Jun28) BBSW+1.15%	AAA	16-Jun-28	1,660	1,214,367.80
11-Dec-23	1,400,000.00	5.0570	ANZ Snr FRN (Sep28) BBSW+0.93%	AA-	11-Sep-28	1,747	1,416,635.34
16-Feb-24	2,000,000.00	5.4180	NAB Snr FRN (Nov28) BBSW+1.03%	AA-	16-Nov-28	1,813	2,013,453.15
Totals	68,800,000.00	5.1571					69,161,262.39

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Term Deposits

	Face Value	Current Yield	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
	2,000,000.00	4.8300	Commonwealth Bank of Australia	AA-	12-Dec-23	12	2,077,809.32
	4,000,000.00	4.8700	National Australia Bank	AA-	27-Dec-23	27	4,147,300.82
	2,000,000.00	4.6100	Commonwealth Bank of Australia	AA-	2-Jan-24	33	2,077,043.84
	4,000,000.00	0.6800	National Australia Bank	AA-	9-Jan-24	40	4,023,772.05
	3,059,350.68	5.1200	Westpac Group	AA-	16-Jan-24	47	3,108,273.47
	2,000,000.00	2.5000	Bendigo and Adelaide Bank	BBB+	23-Jan-24	54	2,030,273.97
	2,000,000.00	4.2700	Westpac Group	AA-	30-Jan-24	61	2,000,233.97
	2,000,000.00	5.0500	National Australia Bank	AA-	30-Jan-24	61	2,025,457.53
	2,000,000.00	4.6900	Commonwealth Bank of Australia	AA-	6-Feb-24	68	2,039,016.98
	2,000,000.00	5.0100	Commonwealth Bank of Australia	AA-	6-Feb-24	68	2,075,493.15
	2,000,000.00	5.4200	Commonwealth Bank of Australia	AA-	14-Feb-24	76	2,032,074.52
	2,000,000.00	1.6300	Westpac Group	AA-	20-Feb-24	82	2,000,803.84
	3,000,000.00	5.0200	National Australia Bank	AA-	22-Feb-24	84	3,115,528.77
	2,000,000.00	4.6600	Commonwealth Bank of Australia	AA-	27-Feb-24	89	2,038,767.40
	4,000,000.00	5.0200	Commonwealth Bank of Australia	AA-	28-Feb-24	90	4,151,837.81
	3,000,000.00	5.1000	Bank of Queensland	BBB+	6-Mar-24	97	3,112,758.90
	3,000,000.00	5.4300	Commonwealth Bank of Australia	AA-	12-Mar-24	103	3,051,324.66
	3,000,000.00	5.3500	Commonwealth Bank of Australia	AA-	19-Mar-24	110	3,044,412.33
	4,000,000.00	4.9000	AMP Bank	BBB	27-Mar-24	118	4,133,172.60
	1,000,000.00	4.9700	Suncorp Bank	A+	2-Apr-24	124	1,025,054.25
	2,000,000.00	4.9700	Suncorp Bank	A+	2-Apr-24	124	2,050,108.49
	3,000,000.00	4.6000	Westpac Group	AA-	2-Apr-24	124	3,093,008.22
	2,000,000.00	5.2700	Suncorp Bank	A+	9-Apr-24	131	2,006,930.41
	2,000,000.00	5.5500	Bendigo and Adelaide Bank	BBB+	23-Apr-24	145	2,047,441.10
	3,000,000.00	4.9700	Suncorp Bank	A+	24-Apr-24	146	3,075,162.74
	3,000,000.00	5.3200	Commonwealth Bank of Australia	AA-	24-Apr-24	146	3,041,102.47
	2,000,000.00	5.1900	Commonwealth Bank of Australia	AA-	30-Apr-24	152	2,026,163.29
	2,000,000.00	5.1700	National Australia Bank	AA-	7-May-24	159	2,016,713.97
	2,000,000.00	5.4200	Commonwealth Bank of Australia	AA-	21-May-24	173	2,029,995.62
	3,000,000.00	4.6200	Suncorp Bank	A+	28-May-24	180	3,000,379.73
	4,000,000.00	4.9900	National Australia Bank	AA-	28-May-24	180	4,100,620.27
	2,000,000.00	5.0900	Commonwealth Bank of Australia	AA-	4-Jun-24	187	2,042,344.66
	3,000,000.00	5.1800	National Australia Bank	AA-	7-Jun-24	190	3,037,466.30
	3,000,000.00	5.4500	Suncorp Bank	A+	11-Jun-24	194	3,010,750.68
	3,000,000.00	5.7000	AMP Bank	BBB	28-Jun-24	211	3,072,616.44
	3,000,000.00	5.6200	Commonwealth Bank of Australia	AA-	3-Jul-24	216	3,069,287.67
	2,000,000.00	5.2100	National Australia Bank	AA-	9-Jul-24	222	2,024,265.75
	3,000,000.00	5.5000	Bendigo and Adelaide Bank	BBB+	23-Jul-24	236	3,056,958.90
	2,000,000.00	5.4400	Commonwealth Bank of Australia	AA-	26-Aug-24	270	2,029,284.87
	2,000,000.00	4.4000	Westpac Group	AA-	2-Sep-24	277	2,021,216.44
	2,066,654.25	5.2400	Westpac Group	AA-	10-Sep-24	285	2,092,466.48
	2,000,000.00	5.4600	Suncorp Bank	A+	24-Sep-24	299	2,000,897.53
	1,000,000.00	5.3100	National Australia Bank	AA-	25-Sep-24	300	1,009,601.64
	2,000,000.00	5.4200	Suncorp Bank	A+	1-Oct-24	306	2,009,206.58
	2,000,000.00	5.4500	Suncorp Bank	A+	22-Oct-24	327	2,001,194.52
	4,000,000.00	5.4500	Suncorp Bank	A+	29-Oct-24	334	4,000,597.26
	2,000,000.00	5.5000	Suncorp Bank	A+	27-Nov-24	363	2,000,904.11
	5,000.00	4.5000	National Australia Bank	AA-	28-Nov-24	364	5,001.85
	3,000,000.00	5.2000	Bank of Queensland	BBB+	3-Dec-24	369	3,077,786.30
	2,500,000.00	5.4600	Suncorp Bank	A+	24-Dec-24	390	2,500,373.97
	2,000,000.00	2.0400	Westpac Group	AA-	25-Feb-25	453	2,001,006.03
Totals	125,631,004.93	4.8536					127,861,264.47
Grand Totals	217,422,365.34						220,026,752.36

Strategy, Performance and Business Systems

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023

Council's Holdings as at 31 December 2023

Meeting Date: 23 January 2024

Attachment No: 2

Number of Pages: 2

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

COUNCIL'S HOLDING AS AT 31 DECEMBER 2023

Bonds							
	Face Value	Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
11-Jan-24	2,500,000.00	3.0000	CBA Snr Bond (Jan24) 3.00%	AA-	11-Jan-24	11	2,534,538.74
30-Jan-24	2,000,000.00	1.8500	SUN Snr Bond (Jul24) 1.85%	A+	30-Jul-24	212	1,981,528.31
12-Feb-24	1,800,000.00	3.9000	WBC Snr Bond (Aug25) 3.90%	AA-	11-Aug-25	589	1,809,131.35
19-Feb-24	2,000,000.00	4.2000	CBA Snr Bond (Aug25) 4.20%	AA-	18-Aug-25	596	2,020,333.74
13-May-24	2,300,000.00	4.9000	WBC Snr Bond (Nov25) 4.90%	AA-	11-Nov-25	681	2,329,776.15
19-Feb-24	1,500,000.00	4.7500	CBA Snr Bond (Aug26) 4.75%	AA-	17-Aug-26	960	1,533,781.86
14-Mar-24	1,400,000.00	4.9460	MAC Snr Bond (Sep26) 4.946%	A+	14-Sep-26	988	1,430,171.25
19-Mar-24	1,500,000.00	5.0000	WBC Snr Bond (Sep28) 5.00%	AA-	19-Sep-28	1,724	1,544,618.57
Totals	15,000,000.00	3.9626					15,183,879.97
Cash							
	Face Value	Current Yield	Borrower	Credit Rating			Current Value
31-Dec-23	1,998,875.76	4.5350	Macquarie Bank	A+			1,998,875.76
31-Dec-23	4,000,000.00	4.4000	National Australia Bank	AA-			4,000,000.00
Totals	5,998,875.76	4.4450					5,998,875.76
Floating Rate Note							
Reset/ Coupon	Face Value	Current Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
30-Jan-24	1,200,000.00	5.1218	SUN Snr FRN (Jul24) BBSW+0.78%	A+	30-Jul-24	212	1,211,916.44
7-Feb-24	3,000,000.00	5.1672	MAC Snr FRN (Aug24) BBSW+0.80%	A+	7-Aug-24	220	3,028,721.02
16-Jan-24	2,000,000.00	4.9117	ANZ Snr FRN (Jan25) BBSW+0.76%	AA-	16-Jan-25	382	2,026,443.34
22-Jan-24	2,000,000.00	4.9800	NAB Snr FRN (Jan25) BBSW+0.77%	AA-	21-Jan-25	387	2,025,301.37
12-Feb-24	5,000,000.00	5.2586	MAC Snr FRN (Feb25) BBSW+0.84%	A+	12-Feb-25	409	5,048,520.25
18-Mar-24	2,000,000.00	5.3425	BEN Snr FRN (Mar25) BBSW+0.98%	BBB+	17-Mar-25	442	2,007,358.36
18-Mar-24	2,400,000.00	5.0525	WBC Snr FRN (Mar25) BBSW+0.69%	AA-	17-Mar-25	442	2,410,251.78
24-Jan-24	2,000,000.00	5.3473	SUN Cov FRN (Apr25) BBSW+1.12%	AAA	24-Apr-25	480	2,030,797.19
12-Feb-24	2,000,000.00	5.1886	ANZ Snr FRN (May25) BBSW+0.77%	AA-	12-May-25	498	2,020,233.04
20-Feb-24	2,300,000.00	5.1128	WBC Cov FRN (May25) BBSW+0.73%	AAA	20-May-25	506	2,318,384.41
29-Feb-24	2,500,000.00	5.2674	NAB Snr FRN (May25) BBSW+0.90%	AA-	30-May-25	516	2,523,919.99
11-Mar-24	4,000,000.00	4.8402	MAC Snr FRN (Dec25) BBSW+0.48%	A+	9-Dec-25	709	3,992,007.37
26-Feb-24	1,500,000.00	5.8786	RACQ Snr FRN (Mat 26) BBSW+1.50%	BBB+	24-Feb-26	786	1,504,605.28
26-Feb-24	1,700,000.00	4.8286	SUN Snr FRN (Feb26) BBSW+0.45%	A+	24-Feb-26	786	1,694,044.96
19-Feb-24	2,000,000.00	5.4328	SUN Snr FRN (May26) BBSW+1.05%	A+	18-May-26	869	2,018,402.88
26-Feb-24	3,900,000.00	4.7886	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	24-Aug-26	967	3,890,466.03
15-Mar-24	2,300,000.00	4.8300	SUN Snr FRN (Sep26) BBSW+0.48%	A+	15-Sep-26	989	2,277,965.05
30-Jan-24	1,650,000.00	5.8418	BOz Snr FRN (Oct26) BBSW+1.50%	BBB	30-Oct-26	1,034	1,667,069.43
19-Feb-24	2,000,000.00	5.9305	POL Snr FRN (Nov26) BBSW+1.55%	BBB	17-Nov-26	1,052	2,014,623.15
15-Jan-24	2,000,000.00	4.8517	CBA Snr FRN (Jan27) BBSW+0.70%	AA-	14-Jan-27	1,110	2,016,650.19
25-Jan-24	2,250,000.00	5.0229	SUN Snr FRN (Jan27) BBSW+0.78%	A+	25-Jan-27	1,121	2,257,892.40
26-Feb-24	2,400,000.00	5.0975	NAB Snr FRN (Feb27) BBSW+0.72%	AA-	25-Feb-27	1,152	2,407,867.23
26-Feb-24	2,500,000.00	5.5775	NAB Snr FRN (Nov27) BBSW+1.20%	AA-	25-Nov-27	1,425	2,545,018.22
14-Mar-24	1,100,000.00	5.6041	SUN Snr FRN (Dec27) BBSW+1.25%	A+	14-Dec-27	1,444	1,109,420.03
15-Jan-24	3,000,000.00	5.3041	CBA Snr FRN (Jan28) BBSW+1.15%	AA-	13-Jan-28	1,474	3,065,326.27
12-Feb-24	2,500,000.00	5.4186	NAB Snr FRN (May28) BBSW+1.00%	AA-	12-May-28	1,594	2,528,860.71
18-Mar-24	1,200,000.00	5.5125	BEN Cov FRN (Jun28) BBSW+1.15%	AAA	16-Jun-28	1,629	1,204,697.26
11-Mar-24	1,400,000.00	5.2902	ANZ Snr FRN (Sep28) BBSW+0.93%	AA-	11-Sep-28	1,716	1,406,417.15
16-Feb-24	2,000,000.00	5.4180	NAB Snr FRN (Nov28) BBSW+1.03%	AA-	16-Nov-28	1,782	2,024,196.33
Totals	65,800,000.00	5.2087					66,277,377.13

STATEMENT OF INVESTMENTS - NOVEMBER AND DECEMBER 2023 (Cont.)

Term Deposits

	Face Value	Current Yield	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
	2,000,000.00	4.6100	Commonwealth Bank of Australia	AA-	2-Jan-24	2	2,084,874.52
	4,000,000.00	0.6800	National Australia Bank	AA-	9-Jan-24	9	4,026,082.19
	3,059,350.68	5.1200	Westpac Group	AA-	16-Jan-24	16	3,121,577.03
	2,000,000.00	2.5000	Bendigo and Adelaide Bank	BBB+	23-Jan-24	23	2,034,520.55
	2,000,000.00	4.2700	Westpac Group	AA-	30-Jan-24	30	2,007,487.12
	2,000,000.00	5.0500	National Australia Bank	AA-	30-Jan-24	30	2,034,035.62
	2,000,000.00	4.6900	Commonwealth Bank of Australia	AA-	6-Feb-24	37	2,047,027.09
	2,000,000.00	5.0100	Commonwealth Bank of Australia	AA-	6-Feb-24	37	2,084,003.29
	2,000,000.00	5.4200	Commonwealth Bank of Australia	AA-	14-Feb-24	45	2,041,281.10
	2,000,000.00	1.6300	Westpac Group	AA-	20-Feb-24	51	2,003,572.60
	3,000,000.00	5.0200	National Australia Bank	AA-	22-Feb-24	53	3,128,319.45
	2,000,000.00	4.6600	Commonwealth Bank of Australia	AA-	27-Feb-24	58	2,046,726.27
	4,000,000.00	5.0200	Commonwealth Bank of Australia	AA-	28-Feb-24	59	4,168,892.05
	3,000,000.00	5.1000	Bank of Queensland	BBB+	6-Mar-24	66	3,125,753.42
	3,000,000.00	5.4300	Commonwealth Bank of Australia	AA-	12-Mar-24	72	3,065,160.00
	3,000,000.00	5.3500	Commonwealth Bank of Australia	AA-	19-Mar-24	79	3,058,043.84
	4,000,000.00	4.9000	AMP Bank	BBB	27-Mar-24	87	4,149,819.18
	1,000,000.00	4.9700	Suncorp Bank	A+	2-Apr-24	93	1,029,275.34
	2,000,000.00	4.9700	Suncorp Bank	A+	2-Apr-24	93	2,058,550.68
	3,000,000.00	4.6000	Westpac Group	AA-	2-Apr-24	93	3,104,728.77
	2,000,000.00	5.2700	Suncorp Bank	A+	9-Apr-24	100	2,015,882.19
	2,000,000.00	5.5500	Bendigo and Adelaide Bank	BBB+	23-Apr-24	114	2,056,868.49
	3,000,000.00	4.9700	Suncorp Bank	A+	24-Apr-24	115	3,087,826.03
	3,000,000.00	5.3200	Commonwealth Bank of Australia	AA-	24-Apr-24	115	3,054,657.53
	2,000,000.00	5.1900	Commonwealth Bank of Australia	AA-	30-Apr-24	121	2,034,979.18
	2,000,000.00	5.1700	National Australia Bank	AA-	7-May-24	128	2,025,495.89
	2,000,000.00	5.2000	Bank of Queensland	BBB+	7-May-24	128	2,007,693.15
	2,000,000.00	5.1400	National Australia Bank	AA-	14-May-24	135	2,005,632.88
	2,000,000.00	5.4200	Commonwealth Bank of Australia	AA-	21-May-24	142	2,039,202.19
	3,000,000.00	4.6200	Suncorp Bank	A+	28-May-24	149	3,012,151.23
	4,000,000.00	4.9900	National Australia Bank	AA-	28-May-24	149	4,117,572.60
	2,000,000.00	5.0900	Commonwealth Bank of Australia	AA-	4-Jun-24	156	2,051,037.93
	3,000,000.00	5.1800	National Australia Bank	AA-	7-Jun-24	159	3,050,664.66
	3,000,000.00	5.4500	Suncorp Bank	A+	11-Jun-24	163	3,024,636.99
	2,000,000.00	5.1700	National Australia Bank	AA-	18-Jun-24	170	2,003,116.16
	3,000,000.00	5.7000	AMP Bank	BBB	28-Jun-24	180	3,087,139.73
	3,000,000.00	5.6200	Commonwealth Bank of Australia	AA-	3-Jul-24	185	3,083,607.12
	2,000,000.00	5.2100	National Australia Bank	AA-	9-Jul-24	191	2,033,115.62
	3,000,000.00	5.5000	Bendigo and Adelaide Bank	BBB+	23-Jul-24	205	3,070,972.60
	2,000,000.00	5.1700	National Australia Bank	AA-	20-Aug-24	233	2,003,116.16
	2,000,000.00	5.4400	Commonwealth Bank of Australia	AA-	26-Aug-24	239	2,038,454.87
	2,000,000.00	4.4000	Westpac Group	AA-	2-Sep-24	246	2,028,690.41
	2,066,654.25	5.2400	Westpac Group	AA-	10-Sep-24	254	2,101,663.94
	2,000,000.00	5.4600	Suncorp Bank	A+	24-Sep-24	268	2,010,172.05
	1,000,000.00	5.3100	National Australia Bank	AA-	25-Sep-24	269	1,014,111.51
	2,000,000.00	5.4200	Suncorp Bank	A+	1-Oct-24	275	2,018,413.15
	2,000,000.00	5.4500	Suncorp Bank	A+	22-Oct-24	296	2,010,452.05
	4,000,000.00	5.4500	Suncorp Bank	A+	29-Oct-24	303	4,019,112.33
	2,000,000.00	5.5000	Suncorp Bank	A+	27-Nov-24	332	2,010,246.58
	5,000.00	4.5000	National Australia Bank	AA-	28-Nov-24	333	5,020.96
	3,000,000.00	5.2000	Bank of Queensland	BBB+	3-Dec-24	338	3,091,035.62
	2,500,000.00	5.4600	Suncorp Bank	A+	24-Dec-24	359	2,511,967.12
	2,000,000.00	2.0400	Westpac Group	AA-	25-Feb-25	422	2,004,471.23
Totals	127,631,004.93	4.8733					130,148,910.26
Grand Totals	214,429,880.69						217,609,043.12

14.3 STATE GOVERNMENT ELECTION COMMITMENT FUNDING UPDATE

FILE NO:	25/48
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Kelly Arnott - Manager Corporate Planning and Performance
AUTHOR:	Michelle Ayoub - Corporate Grants Lead
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.1 Continue to attain major State and Federal Government grants to deliver new and enhanced infrastructure

EXECUTIVE SUMMARY

During the 2023 NSW State election period, commitments were made to provide \$2.5 million in funding for the upgrade of Melville Ford Bridge and \$6 million for the upgrade of Upper Hunter roads within the Maitland Local Government Area. Confirmation of funding to deliver these commitments has now been received, with a resolution of Council required to accept funding and commit to these works.

Once resolved, officers will work to finalise funding deeds and make public announcements regarding the project details, in line with conditions of funding.

OFFICER'S RECOMMENDATION**THAT**

- 1. Council accepts the \$2.5 million funding commitment from the State Government for the upgrade of Melville Ford Bridge;**
- 2. Council accepts the \$6 million funding commitment from the State Government for the upgrade of Maitland Vale Road (Upper Hunter roads).**

REPORT

During the 2023 NSW State election period, a commitment was made to provide \$2.5 million in funding for the upgrade of Melville Ford Bridge and \$6 million for the upgrade of Upper Hunter roads within the Maitland Local Government Area.

Confirmation of funding for these commitments has now been received from Transport for NSW (TfNSW), with a resolution of Council required to accept the funds and commit to the works prior to the signing of the funding agreements.

STATE GOVERNMENT ELECTION COMMITMENT FUNDING UPDATE (Cont.)

Negotiations are underway regarding the specific details of the funding agreements including project timing, milestones, location and details of an announcement with Transport for NSW.

Project details**Melville Ford Bridge \$2.5 million State Election Funding Commitment**

The additional \$2.5 million will enable an enhanced scope of work for the already planned bridge replacement.

The project will now total \$8.2 million, from the following sources:

- State Election Commitment funding under TfNSW - \$2.5 million
- Regional Roads and Transport Recovery Package - \$2.5 million
- Fixing Country Bridges - \$1.6 million
- Maitland City Council - \$1.6 million

Council was advised of the \$2.5 million from the Regional Roads and Transport Recovery Package, with this deed executed in late 2023.

The \$8.2 million project will deliver a dual lane, concrete bridge over the Hunter River replacing the existing aged, low level timber bridge.

The existing bridge has an overall length of 64m (six spans) and width of 5m. The bridge alignment will be revised, and the bridge height will be raised to improve flood immunity and reduce road network closures. The overall length will be comparable to the existing bridge and the width will meet current standards for a dual lane concrete bridge.

Upgrade of Upper Hunter roads \$6 million State Election Funding Commitment

Council officers are working with Transport for NSW to determine specific location and project details to reconstruct two sections of Maitland Vale Road, Maitland to lessen the likelihood of residents being isolated by flooding.

The upgrades will comprise of detailed design and will include improvements to retaining structures, pavements and surfaces, storm water reticulation and structures, drainage, safety barrier systems, signage and line marking.

This project was an unsuccessful grant application under the Regional Roads and Transport Recovery Package, however the total project will be funded via this State Election commitment.

STATE GOVERNMENT ELECTION COMMITMENT FUNDING UPDATE (Cont.)

CONCLUSION

If resolved by Council, this significant State Government funding will allow Council to deliver on two important projects for our community and help to provide greater access to residents during times of flood.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget. It will be incorporated into Council's future Capital Works program.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

14.4 GRANT APPLICATION UNDER THE URBAN RIVERS AND CATCHMENT PROGRAM FOR CONSTRUCTED WETLANDS AT RUTHERFORD

FILE NO:	65/84
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Leah Flint - Group Manager Strategy Performance and Business Systems Kelly Arnott - Manager Corporate Planning and Performance
AUTHOR:	Michelle Ayoub - Corporate Grants Lead
MAITLAND +10	Outcome 10 To love and look after our great outdoors
COUNCIL OBJECTIVE:	10.2.1 Retain areas of bushland and open space, including wildlife corridors

EXECUTIVE SUMMARY

This report outlines a grant opportunity to seek funding under the Urban Rivers and Catchment Program to fund constructed wetlands at Rutherford. The project would include water quality and quantity management of urban runoff from the Rutherford Industrial Area and habitat restoration to improve local biodiversity outcomes and foraging habitat for the Latham's Snipe (a Federally listed threatened bird species known to forage in the area).

OFFICER'S RECOMMENDATION

THAT

1. Council support a grant application to the Urban Rivers and Catchment Program for constructed wetlands at Rutherford.

REPORT

The Urban Rivers and Catchment grant program aims to deliver on the Australian Government's election commitment to restore the health of urban, outer urban/peri-urban and regional centre waterways for native plants and animals, and local communities. The program will fund projects including, but not limited to:

- habitat and habitat 'corridor' establishment for native wildlife
- riverbank revegetation, stream re-naturalisation, and chain of ponds/wetland creation initiatives
- water quality improvement to benefit aquatic species
- wetland creation to slow, filter and remove stormwater from aquatic systems
- re-establishment of 'pathways' to support movements and migrations of aquatic native species through installation of fish 'ladders' and 'passage ways'
- prevention of stormwater-sourced plastic entering aquatic and marine environments through installation of litter and gross pollutant traps.

GRANT APPLICATION UNDER THE URBAN RIVERS AND CATCHMENT PROGRAM FOR CONSTRUCTED WETLANDS AT RUTHERFORD (Cont.)

The program has considerable strategic alignment with Maitland's recently adopted Environmental Sustainability Strategy, including the targets 1.1 Deliver functional biodiversity corridors and 1.3 improve waterway health.

Stream 1 of the program has \$51m available to fund small to medium-sized community-based projects. Grants between \$150,000 and \$2 million are available, with no co-contribution required. Applications close 13 February 2024 and projects must be completed by 28 February 2028.

The preferred project identified by Council officers to put forward for this opportunity is focused on water quality management and habitat improvement on Council owned land in a tributary of Swamp Creek, north of Racecourse Road, Rutherford (Figure 1). The proposal includes the creation of a constructed wetland delivering water quality and quantity management and habitat restoration to support biodiversity and in particular the Latham's Snipe (Figure 2), which is known to forage in the area.

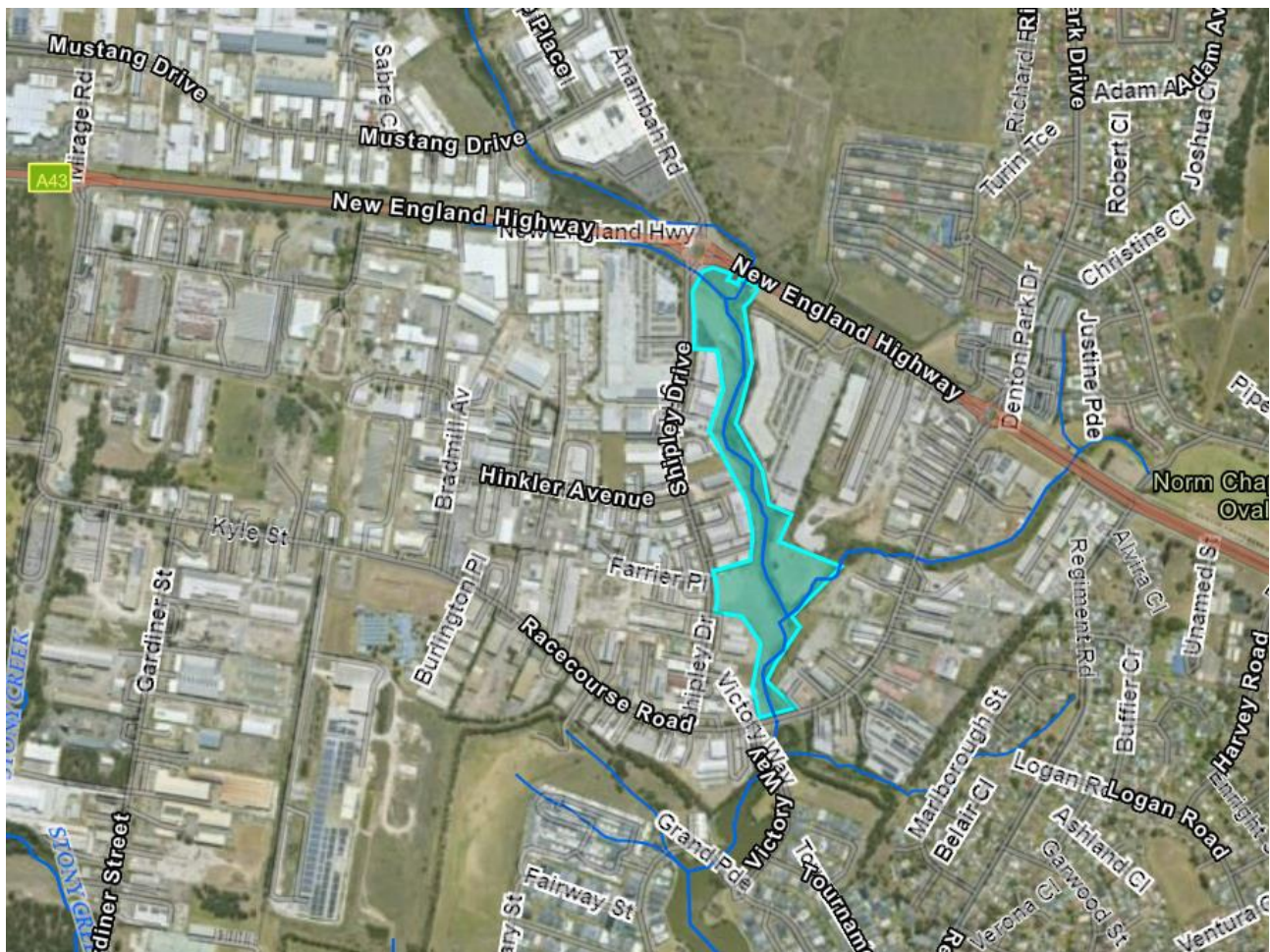


Figure 1 – Subject Site Lot 101 DP1103723 New England Highway, Shipley Drive and Racecourse Road Rutherford

GRANT APPLICATION UNDER THE URBAN RIVERS AND CATCHMENT PROGRAM FOR CONSTRUCTED WETLANDS AT RUTHERFORD (Cont.)



Figure 2 – Latham's Snipe

The Latham's Snipe is a migratory shore bird that breeds in Japan and Russia in the northern hemisphere summer and migrates annually to Eastern Australia in the northern hemisphere winter to forage in Australian wetlands. In Maitland Latham's Snipe is known to occur on the floodplain, in wetland areas in and around our existing urban areas and around areas identified for future urban growth. Example sites include creek, wetland and lagoon areas around Chisholm, Thornton North, Louth Park, Walka, Bolwarra, Rutherford, Anambah. This includes in and around sediment dams and constructed wetlands. Latham's Snipe was recently listed under the Environmental Protection and Biodiversity Conservation (EPBC) Act as a threatened species.

Community concern has been raised regarding urban impacts on the species locally, including at degraded creek and wetland sites in Council ownership in Rutherford. The Latham's Snipe was included as an example species in the Environmental Sustainability Strategy as a result of community feedback.

GRANT APPLICATION UNDER THE URBAN RIVERS AND CATCHMENT PROGRAM FOR CONSTRUCTED WETLANDS AT RUTHERFORD (Cont.)

Works are required to rehabilitate the Council owned land for water quantity and quality management. This includes management of local flooding and improvement of the quality of runoff from the surrounding industrial land before it travels down stream through a residential area to Swamp Creek, Wentworth Swamp and ultimately the Hunter River near locations where residents are known to swim. Local flooding includes water over roads during heavy weather events impacting both community and industrial traffic. Remediation of this problem is required from a safety perspective and appropriate water management to protect downstream habitat. Without remediation on going local flooding will impact economic viability and access of the open businesses, safety of the community, and ongoing council maintenance/management costs.

The use of a constructed wetland approach would have important infrastructure and environmental benefits. Total project costs are estimated at approximately \$1.5 million to \$2 million, including creation of a wetland area that provides water quality and quantity management and surrounding habitat areas that can attract biodiversity and provide improved amenity for workers within the industrial area. The project will focus on Lot 101 DP1103723, however alternate land holdings to the north of the New England Highway may also be considered for habitat improvement works subject to funding availability limits.

CONCLUSION

If successful, the grant application would allow Council to address ongoing stormwater management concerns in the Rutherford area and deliver important water quality and biodiversity improvements in line with our commitments under the recently adopted Environmental Sustainability Strategy 2030.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

15 DIGITAL TRANSFORMATION

Nil

16 WORKPLACE CULTURE AND SAFETY

Nil

17 VIBRANT CITY

Nil

18 ITEMS FOR INFORMATION

Nil

19 NOTICES OF MOTION/RESCISSION

20 QUESTIONS WITH NOTICE

21 URGENT BUSINESS

22 COMMITTEE OF THE WHOLE

22.1 ATWEA COLLEGE AND ALESCO SECONDARY COLLEGE

FILE NO:	18901
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Judy Jaeger - Group Manager Culture, Community & Recreation Leah Flint - Group Manager Strategy Performance and Business Systems
AUTHOR:	Judy Jaeger - Group Manager Culture, Community & Recreation Michael Rathborne - Senior Property Advisor
MAITLAND +10	Outcome 16 To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.1.2 Work with service providers and other levels of government to deliver land use planning and community infrastructure outcomes

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

EXECUTIVE SUMMARY

As resolved at the Council meeting of 12 December 2023, Council officers have been working closely with Atwea College to explore opportunities for a site suitable for a school within the Local Government Area (LGA).

22.2 CONSIDERATION OF TENDERS - MORPETH TO WALKA WATERWORKS SHARED PATHWAY - STAGE 2B

FILE NO:	2023-137-2232
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Ashley Kavanagh - Manager Works
AUTHOR:	Kynan Lindus - Civil Engineer
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2 Make it safe and easy to get around the city, no matter how we choose to travel

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 to engage a suitably experienced and qualified contractor to construct a shared pathway at Morpeth Road, Morpeth, as part of the larger Morpeth to Walka Water Works shared path project. The contract will include construction of shared path, retaining walls, kerb and gutter, and shoulder widening along Morpeth Road and Queens Wharf Road. At closing of the tender, three (3) submissions were received.

At its meeting of 24th October 2023, Council resolved to “suspend the works in regards to Walka Shared Pathway Steamer Street Loop”. The project has since been reviewed and a revised alignment proposed.

An assessment of the original tender has been completed to determine a preferred contractor. This report provides details of the tender and a recommendation to enter negotiations with the preferred contractor in accordance with the Local Government (General) Regulation 2021 Clause 178 (1)(e). The report is being presented to the Committee of the Whole as it contains confidential information.

22.3 CONSIDERATION OF TENDERS - OPEN SPACE GROUNDS MAINTENANCE - CEMETERIES

FILE NO:	2023/137/2311
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	David Moloney - Group Manager Infrastructure & Works Ashley Kavanagh - Manager Works
AUTHOR:	Clinton Anderson - Project Officer Recreation Works
MAITLAND +10	Outcome 4 To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.1 Ensure the community and health services and facilities we need are available as our population grows and changes

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

Council has requested tenders for the ongoing grounds maintenance of Councils owned cemeteries throughout the Local Government Area.

Tenders have been received for these works and are presented for Council's consideration and determination. The tenders are presented to Committee of the Whole as they contain confidential commercial information.

22.4 REVIEW OF ORGANISATION STRUCTURE

FILE NO:	130/69
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jeff Smith - General Manager
AUTHOR:	Jeff Smith - General Manager
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (a) personnel matters concerning particular individuals (other than councillors).

23 COMMITTEE OF THE WHOLE RECOMMENDATIONS

24 CLOSURE