

ORDINARY MEETING

MINUTES

26 MARCH 2024

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PRESENT

Cr Robert Aitchison
Cr Loretta Baker
Cr Kristy Flannery
Cr Stephanie Fisher
Cr Peter Garnham
Cr Mitchell Griffin
Cr Bill Hackney
Cr Sally Halliday
Cr Ben Mitchell
Cr Philip Penfold, Mayor
Cr Kanchan Ranadive
Cr Ben Whiting
Cr Mike Yarrington

1 INVOCATION

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

2 ACKNOWLEDGEMENT OF COUNTRY

The General Manager read the Acknowledgement of Country.

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

4 DECLARATIONS OF INTEREST

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 12 March 2024 be confirmed.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

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

6 BUSINESS ARISING FROM MINUTES

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

8 PUBLIC ACCESS

Paul Muncaster representing himself speaking **against** 11.3 Management of trees on public land policy review 2024

Chad Page representing himself speaking **against** 11.3 Management of trees on public land policy review 2024

9 MAYORAL MINUTE

NIL

10 OFFICERS REPORTS

10.1 LARGE SITE ELECTRICITY CONTRACT

FILE NO:	55/22
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Ben Maddox - Principal Sustainability Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

EXECUTIVE SUMMARY

Council's electricity contract for its large site accounts ends on 30 June 2024 with a new electricity contract required from 1 July 2024. This report updates the status process outlined in the 28 November 2023 meeting and identifies decisions required to progress.

OFFICER'S RECOMMENDATION

THAT

1. Subject to a successful tendering process by the Hunter Joint Organisation, if per annum costs are less than the current overall cost of negotiable components inclusive of renewable energy, the General Manager shall have delegation to enter into a contract for the supply of electricity to Council's large sites and streetlights and present a further report to a future meeting of Council on completion of the process for Council's information.

COUNCIL RESOLUTION

THAT

1. Subject to a successful tendering process by the Hunter Joint Organisation, if per annum costs are less than the current overall cost of negotiable components inclusive of renewable energy, the General Manager shall have delegation to enter into a contract for the supply of electricity to Council's large sites and streetlights and present a further report to a future meeting of Council on completion of the process for Council's information.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

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

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

10.2 VIBRANT CITY SPONSORSHIP PROGRAM 2023/24 ROUND 2 UPDATE

FILE NO:	35/76
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Portia Wendt - Coordinator Marketing & Communication Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Cassie Renshaw - Team Leader Marketing
MAITLAND +10	Outcome 1 To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1.4 Deliver vibrant and valued community events and programs

EXECUTIVE SUMMARY

The Vibrant City Sponsorship Program is an annual program that provides local community and industry groups, events and organisations within the local government area, the opportunity to apply for Council sponsorship. A panel was recently convened to determine successful applicants and allocate sponsorship. This report provides an update regarding the recipients of sponsorship for the second round of funding for the 2023/24 Vibrant City Sponsorship Program.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr B Mitchell / Cr M Griffin)

THAT

1. The information contained in this Report be noted.
2. Council to waive the fee for the hire of the Sportsground for the City of Maitland Pipes and Drums for the 2024 NSW Pipe Band State Championships.

The motion when put to the council was declared carried.

COUNCIL RESOLUTION

THAT

- 1. The information contained in this Report be noted.**
- 2. Council to waive the fee for the hire of the Sportsground for the City of Maitland Pipes and Drums for the 2024 NSW Pipe Band State Championships.**

Moved Cr B Mitchell, Seconded Cr M Griffin

CARRIED

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

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

10.3 SECTION 356 COMMEMORATIVE AND RECOGNISED DAYS GRANT PROGRAM

FILE NO:	10/5/23
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Darren Crumpler - Acting Group Manager Culture Community and Recreation Suellen Goyne - Coordinator Aquatic Centres Whitney Hainey - Coordinator Community & Recreation Planning
AUTHOR:	Molly Marsh - Community Development and Programs Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

EXECUTIVE SUMMARY

Council's Section 356 Commemorative and Recognised Days Program aims to assist in the coordination of activities and events within the Maitland LGA, which directly relate to National and International Days or Weeks including Commemorative Days.

This report presents to Council a recommendation of Round Two (2) of the Commemorative and Recognised Days Grant applications for 2023/2024 for financial assistance under Section 356 of the Local Government Act 1993.

OFFICER'S RECOMMENDATION**THAT**

- 1. Council approve the allocations of funds under Section 356 of the Local Government Act, 1993 as recommended for the three (3) initiatives outlined in this report.**
 - 1. East Maitland RSL Sub Branch - ANZAC Day Commemorative Services - \$3,000.00**
 - 2. Morpeth ANZAC Day Committee - Morpeth ANZAC Day Commemoration Service - \$3,000.00**
 - 3. Maitland RSL Sub Branch - ANZAC Day Memorial Service in Maitland Park - \$3,000.00**

COUNCIL RESOLUTION**THAT**

1. Council approve the allocations of funds under Section 356 of the Local Government Act, 1993 as recommended for the three (3) initiatives outlined in this report.
 1. East Maitland RSL Sub Branch - ANZAC Day Commemorative Services - \$3,000.00
 2. Morpeth ANZAC Day Committee - Morpeth ANZAC Day Commemoration Service - \$3,000.00
 3. Maitland RSL Sub Branch - ANZAC Day Memorial Service in Maitland Park - \$3,000.00

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

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

10.4 APPLICATION TO TEMPORARILY SUSPEND ALCOHOL FREE ZONE FOR MAITLAND TASTE FESTIVAL

FILE NO:	35/21/11
ATTACHMENTS:	1. Alcohol Free Zone suspension zone - Maitland Taste 2024
RESPONSIBLE OFFICER:	Darren Crumpler - Acting Group Manager Community and Recreation Adam Franks - Coordinator City Events & Activation Tori Evans - Events Officer
AUTHOR:	Claire Corcoran - Events Officer
MAITLAND +10	Outcome 9 To show off our city
COUNCIL OBJECTIVE:	9.1.1 Deliver flagship events and place activation programs

EXECUTIVE SUMMARY

Council's Events Team has submitted an application to temporarily suspend the Alcohol Free Zone (AFZ) in Central Maitland for the Maitland Taste Festival. The purpose of this report is to inform Council of the AFZ suspension application and request approval.

Correspondence was sent to the NSW Police – Hunter Local Area Command seeking comment who responded with no objection to the proposed temporary suspension.

The dates and times of the proposed temporary suspension is:

- Friday 17 May 2024 - 5.00pm – 9.00pm
- Saturday 18 May 2024 - 10.00am – 9.00pm
- Sunday 19 May 2024 - 10.00am – 3.00pm

OFFICER'S RECOMMENDATION

THAT

1. Council resolves to approve the suspension of the AFZ for Maitland Taste Festival per the locations detailed below in this report.
2. The period of the suspension be restricted to the dates, time and locations noted in the report.

COUNCIL RESOLUTION

THAT

1. Council resolves to approve the suspension of the AFZ for Maitland Taste Festival per the locations detailed below in this report.
2. The period of the suspension be restricted to the dates, time and locations noted in the report.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

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

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

10.5 A PLAYSPACE OF SIGNIFICANCE FOR MAITLAND LOCAL GOVERNMENT AREA

FILE NO:	101/28
ATTACHMENTS:	1. Indicative Citywide Playspace Concept
RESPONSIBLE OFFICER:	Darren Crumpler - Acting Group Manager Culture Community and Recreation Suellen Goyne - Coordinator Aquatic Centres Whitney Hainey - Coordinator Community & Recreation Planning
AUTHOR:	Katherine Simmons - Strategic Recreation Planner Carolyn Xu - Landscape Planner
MAITLAND +10	Outcome 4. To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3 Provide facilities that enable us to participate in recreational and sports activities, no matter our background, ability or age

EXECUTIVE SUMMARY

This report addresses Item 1.4.6.2 in Council's Delivery Program 2022-2026: Progress Councils position on a playground of significance and the following Council items:

A Notice of Motion submitted on 14 July 2020 for the prospect of constructing a large, fenced playground of significance catering for all abilities and ages in the Maitland Local Government Area.

Council's resolution on 20 November 2020 being:

- 1. That the contents of the report be noted;*
- 2. Production of concept plans and cost estimates for a playspace of significance progress to consideration in the next delivery program;*
- 3. Consideration be given to funding options, including grant applications*

Site investigation and internal engagement have taken place exploring potential locations that would support the development of a playspace of significance. Maitland Park has been identified as the most suitable site. This report outlines the sites investigated and the process undertaken. A concept plan and cost estimate have been developed in collaboration with internal staff from City Services.

OFFICER'S RECOMMENDATION

THAT

1. That the site location and indicative concept plan is endorsed
2. Council Officers actively seek grant funding for the delivery of the project

PROCEEDINGS IN BRIEF

A motion was moved.
(Mayor P Penfold / Cr S Halliday)

THAT

1. That the site location and indicative concept plan is endorsed with the inclusion of splash pad with water play, and focus on shade, disability inclusion, and additional parking
2. Council Officers actively seek grant funding for the delivery of the project
3. Council will go to community consultation at an appropriate time with a concept plan that includes the items listed in the resolution

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT

1. **That the site location and indicative concept plan is endorsed with the inclusion of splash pad with water play, and focus on shade, disability inclusion, and additional parking**
2. **Council Officers actively seek grant funding for the delivery of the project**
3. **Council will go to community consultation at an appropriate time with a concept plan that includes the items listed in the resolution**

Moved Mayor P Penfold, Seconded Cr S Halliday

CARRIED

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

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

Council moved into Policy & Finance Committee at 6.03 pm.

Moved Cr K Flannery, Seconded Cr M Yarrington

CARRIED

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

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

11 POLICY AND FINANCE COMMITTEE

11.1 COUNCILLOR RECORD KEEPING POLICY REPORT

FILE NO:	118/1
ATTACHMENTS:	1. Councillor Record Keeping Policy
RESPONSIBLE OFFICER:	Linda McLaren - Office Manager Kelsie Wilson - Team Leader OGM
AUTHOR:	Tina Nay - Senior Governance Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.3.2 Increase understanding of Council activities through accessible and clear messaging and information

EXECUTIVE SUMMARY

Councillors are required under the State Records Act 1998, to register records they create or receive that relate to the business of Council. This policy sets out the requirements and the process for registering Councillor Records into Council's record keeping system.

OFFICER'S RECOMMENDATION

THAT

- 1. Council adopt the Councillor Record Keeping Policy 2024.**

COMMITTEE RECOMENDATION

THAT

- 1. Council adopt the Councillor Record Keeping Policy 2024.**

Moved Cr K Flannery, Seconded Cr M Yarrington

CARRIED

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

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

11.2 CYBER / INFORMATION POLICY 2024

FILE NO:	35/1
ATTACHMENTS:	1. Cyber / Information Security Policy
RESPONSIBLE OFFICER:	Mark Margin - Executive Manager Customer & Digital Services
AUTHOR:	Adam McCarthy - Manager ICT Operations
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Council is committed to continuously improving its cybersecurity posture. The cyber / information security policy has been developed to reflect the dedication to maintaining a secure and resilient digital environment and outlines the roles and responsibilities in relation to cyber security.

Following adoption, the Cyber / information security policy will be made publicly available on Council's website, and for staff via the intranet.

OFFICER'S RECOMMENDATION

THAT

- Council adopt the Cyber / Information Security Policy 2024**

COMMITTEE RECOMENDATION

THAT

- Council adopt the Cyber / Information Security Policy 2024**

Moved Cr K Flannery, Seconded Cr B Hackney

CARRIED

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

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

11.3 MANAGEMENT OF TREES ON PUBLIC LAND POLICY REVIEW 2024

FILE NO:	122/938
ATTACHMENTS:	1. DRAFT Management of Trees on Public Land Policy 2024
RESPONSIBLE OFFICER:	Ashley Kavanagh - Acting Group Manager Infrastructure & Works
AUTHOR:	Caine James - Operations Manager Recreation Works
MAITLAND +10	Outcome 1 To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1.3 Improve the appearance and presentation of the city, supporting a sense of community pride

EXECUTIVE SUMMARY

Council's 'Management of Trees on Public Land' Policy last adopted 25 February 2020, has been reviewed in consultation with key Council staff and external stakeholders. Australian Standard AS4373 – Pruning of Amenity Trees 2007 has been reviewed and reflected in this policy along with considerations to related Council policies, procedures and best practice approaches.

The reviewed 'Management of Trees on Public Land' Policy will ensure that Council effectively and efficiently complies with, administers and enforces the Australian Standard AS4373 – Pruning of Amenity Trees 2007. The reviewed 'Management of Trees on Public Land' Policy will also ensure that there are clear guidelines for managing and protecting Council assets on Council land and Council managed land.

OFFICER'S RECOMMENDATION

THAT

1. Council's 'Management of Trees on Public Land' Policy 2024 be adopted.

PROCEEDINGS IN BRIEF

A motion was moved being the Officers Recommendation.
(Cr M Yarrington / Cr S Halliday)

An amendment was moved by Cr R Aitchison for the deferral of the item until Council undertakes community consultation.
(Cr R Aitchison / Cr B Mitchell)

The amendment when put to the meeting was declared lost.

The division resulted in 4 for and 9 against, as follows:

For:	Cr R Aitchison Cr B Mitchell Cr K Ranadive Cr B Whiting	Against:	Cr L Baker Cr S Fisher Cr K Flannery Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Mayor P Penfold Cr M Yarrington
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The original motion was then put and declared carried.

COMMITTEE RECOMENDATION

THAT

1. Council's 'Management of Trees on Public Land' Policy 2024 be adopted.

Moved Cr M Yarrington, Seconded Cr S Halliday

CARRIED

The division resulted in 12 for and 1 against, as follows:

For:	Cr L Baker Cr S Fisher Cr K Flannery Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:	Cr R Aitchison
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11.4 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

FILE NO:	35/1
ATTACHMENTS:	1. Councillor Induction and Professional Development Policy
RESPONSIBLE OFFICER:	Linda McLaren - Office Manager Kelsie Wilson - Team Leader OGM
AUTHOR:	Tina Nay - Senior Governance Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Maitland City Council's (Council) is committed to ensuring that the mayor and councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the Local Government Act 1993 (NSW) (the Act).

OFFICER'S RECOMMENDATION

THAT

- 1. Council adopt the Councillor Induction and Professional Development Policy**

COMMITTEE RECOMENDATION

THAT

- 1. Council adopt the Councillor Induction and Professional Development Policy**

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

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

11.5 STATEMENT OF INVESTMENTS AS AT 29 FEBRUARY 2024

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 29 February 2024
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Annette Peel - Manager Finance & Procurement
AUTHOR:	Narelle Jeffries - Financial Accountant 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 on its investments.

As at the end of February 2024, Council had investments totalling \$218,714,504 under management.

Council's investment portfolio recorded a marked-to-market return of 5.82% per annum versus the bank bill index benchmark return of 4.43% per annum. The actual investment return for the month of February was \$980,837 a favourable variance of \$253,162 when compared to the monthly budget forecasts of \$727,675.

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.**

COMMITTEE RECOMENDATION

THAT

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

Moved Cr S Halliday, Seconded Cr B Hackney

CARRIED

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

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

Council Resumed into Ordinary Council at 6.30pm

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

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

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

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

11.1 Councillor Record Keeping Policy Report

THAT

1. Council adopt the Councillor Record Keeping Policy 2024.

11.2 Cyber / Information Policy 2024

THAT

1. Council adopt the Cyber / Information Security Policy 2024

11.3 Management of Trees on Public Land Policy Review 2024

THAT

1. Council's 'Management of Trees on Public Land' Policy 2024 be adopted.

11.4 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT POLICY

THAT

1. Council adopt the Councillor Induction and Professional Development Policy

11.5 Statement of Investments as at 29 February 2024

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.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

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

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

12 NOTICES OF MOTION/RESCISSION

Nil

13 QUESTIONS WITH NOTICE

Nil

14 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 6.31 pm.

Moved Cr M Griffin, Seconded Cr B Whiting

CARRIED

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

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

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 6.31 pm.

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

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

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

15 COMMITTEE OF THE WHOLE

15.1 INTERIM CONTRACT FOR REGIONAL KERBSIDE RECYCLABLE COLLECTION AND PROCESSING

FILE NO:	61/26/1
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning
AUTHOR:	Matthew Prendergast - Director City Planning
MAITLAND +10	Outcome 13 To reduce our waste
COUNCIL OBJECTIVE:	13.1.2 Deliver a sustainable waste management collection and disposal service

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

EXECUTIVE SUMMARY

Council's recycling service is managed by Hunter Resource Recovery Pty Limited (HRR) on behalf of Lake Macquarie, Cessnock, Maitland and Singleton councils (Member Councils) under delegation granted by resolution of each Member Council.

HRR's current kerbside recyclable collection and processing commenced on 1 July 2013 and expires on 30 June 2025 with no extension options available.

To achieve optimal service continuity and to allow time for the market to stabilise and achieve financial sustainability, this report recommends HRR enters into a short-term (18 months + 18 months) contract with Solo (on substantially the same terms and conditions as the current Solo contract) without going to tender.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows:

(d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

COMMITTEE RECOMENDATION**THAT**

1. Council not invite tenders for kerbside recyclable collection and processing service managed by Hunter Resource Recovery Pty Limited, in reliance on the exemption from tendering set out in section 55(3)(i) of the Local Government Act 1993 due to the unavailability of competitive or reliable tenderers as a result of current low commodity prices, high operational costs and fluctuating markets, and
2. Council enter into a new contract with Solo Waste Pty Limited as trustee for the Solo Waste Trust trading as Solo Resource Recovery for Council's kerbside recyclable collection and processing service managed by Hunter Resource Recovery Pty Limited for an initial period of 18 months commencing 1 July 2025 with one further 18-month extension option available, based on substantially the same contract terms and conditions as the current Solo contract.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 11 for and 2 against, as follows:

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

15.2 CONSIDERATION OF TENDERS - MAITLAND RESOURCE RECOVERY FACILITY STAGE 2 - WEIGHBRIDGE AND GATEHOUSE CONSTRUCTION

FILE NO:	2023/137/2303
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Ashley Kavanagh - Acting Group Manager Infrastructure & Works Todd Stanley - Manager Building Projects & Services
AUTHOR:	Bill Ray - Operations Manager Civil Projects
MAITLAND +10	Outcome 13 To reduce our waste
COUNCIL OBJECTIVE:	13.1 Limit the amount of waste we create and send to landfill

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 qualified and experienced contractor to complete the construction of a new site entry, gatehouse, two weighbridges and associated works at the Maitland Resource Recovery Facility (MRRF), which will form Stage 2 of the MRRF upgrade.

Four (4) tenders were received and assessed by a tender review panel. This report provides details of the tender assessment and a recommendation to award a contract for the works. This report is being presented to the Committee of the Whole as it contains confidential information.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows:

(d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

COMMITTEE RECOMENDATION

THAT

- Council accepts the tender of RTC Facilities Maintenance in the amount of \$2,573,196.91 excl. GST for the contract 2023/137/2303 – Maitland Resource Recovery Facility Stage 2 – Weighbridge and Gatehouse Construction.**
- Council accepts the contingency amounts as set out in this report.**

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

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

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

Council resumed into Ordinary Council at 6.38 pm.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

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

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

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

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

15.1 INTERIM CONTRACT FOR REGIONAL KERBSIDE RECYCLABLE COLLECTION AND PROCESSING

THAT

1. Council not invite tenders for kerbside recyclable collection and processing service managed by Hunter Resource Recovery Pty Limited, in reliance on the exemption from tendering set out in section 55(3)(i) of the Local Government Act 1993 due to the unavailability of competitive or reliable tenderers as a result of current low commodity prices, high operational costs and fluctuating markets, and
2. Council enter into a new contract with Solo Waste Pty Limited as trustee for the Solo Waste Trust trading as Solo Resource Recovery for Council's kerbside recyclable collection and processing service managed by Hunter Resource Recovery Pty Limited for an initial period of 18 months commencing 1 July 2025 with one further 18-month extension option available, based on substantially the same contract terms and conditions as the current Solo contract.

15.2 Consideration of Tenders - Maitland Resource Recovery Facility Stage 2 - Weighbridge and Gatehouse Construction

THAT

1. Council accepts the tender of RTC Facilities Maintenance in the amount of \$2,573,196.91 excl. GST for the contract 2023/137/2303 – Maitland Resource Recovery Facility Stage 2 – Weighbridge and Gatehouse Construction.
2. Council accepts the contingency amounts as set out in this report.

COUNCIL RESOLUTION

THAT

The Committee’s recommendations be adopted.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

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

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

17 CLOSURE

The meeting was declared closed at 6.40 pm.

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Chairperson