



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

28 MAY 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.



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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 14 May 2024 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 70TH COMMEMORATION OF THE 1955 MAITLAND FLOOD

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

MAYORAL MINUTE

THAT

- 1. The draft 2024/25 delivery program include appropriate funding for Council to lead a 70th Commemoration of the 1955 Maitland Flood.**

COMMENTS

The 23 February 2025 will mark the 70th anniversary of the historic 1955 flood event that impacted the City of Maitland and the Hunter Region. It is proposed that Council recognise the significance of the flooding events through a commemorative reception for the anniversary with funding allocated in the draft 2024/25 delivery program.

10 OFFICERS REPORTS

10.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL DETERMINATION 2024

| | |
|-----------------------------|-------------------------------------------------------------------------------------------|
| FILE NO: | 35/5/1 |
| ATTACHMENTS: | 1. Local Government Remuneration Tribunal Annual Determination 2024 |
| RESPONSIBLE OFFICER: | Linda McLaren - Office Manager Jeff Smith - General Manager |
| AUTHOR: | Kelsie Wilson - Team Leader OGM |
| 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

The Local Government Act 1993 requires the Local Government Remuneration Tribunal to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

In the Annual Determination released on 29 April 2024 for sections 239 and 241 of the Local Government Act 1993, the Tribunal advised that as a review of categories was last carried out in 2023, the Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The Tribunal determined a 3.75% per annum increase in the minimum and maximum fees applicable for the Mayoral and Councillor fees from 1 July 2024.

OFFICER'S RECOMMENDATION

THAT

1. Council adopt the 3.75% increase for the maximum Mayor and Councillor remuneration fees as listed in the Local Government Remuneration Tribunal Annual Determination 2024 for the Regional Strategic Area category, effective from 1 July 2024.

REPORT

The *Local Government Act 1993* requires the Local Government Remuneration Tribunal to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, as well as chairpersons and members of county councils for each of the categories determined under section 239.

LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL DETERMINATION 2024 (Cont.)

The Tribunal has produced its findings in the Annual Report and Determination dated 29 April 2024 (Attachment 1). Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023.

The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review. The criteria for each category is published in Appendix 1 of the Determination and remains unchanged from 2023.

Section 242A(1) of the *Local Government Act* provides that when making a determination the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* when making or varying awards or orders relating to the conditions of employment of public sector employees.

The Tribunal determined a 3.75% increase in the minimum and maximum fees applicable to each category. The 2024-2025 fees determination by the Tribunal for the Regional Strategic Area category are as follows:

| Category | Councillor/Member Annual Fee | | Mayor/Chairperson Additional Fee* | |
|--------------------|------------------------------|----------|-----------------------------------|----------|
| | Minimum | Maximum | Minimum | Maximum |
| Regional Strategic | \$20,500 | \$33,810 | \$43,530 | \$98,510 |

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

In dollar terms, the increase on the maximum annual fee from 2023-24 to 2024-25 for Councillors fee is \$1,220 and for the Mayor fee is \$3,560.

The recommendation of this report is that the maximum fee payable in the category be applied, recognising the level of work undertaken by the Councillors and Mayor.

CONCLUSION

The Local Government Remuneration Tribunal's 2024 Annual Report and Determination recommends revised fees payable to Mayor and Councillors. The new fees are payable from 1 July 2024.

FINANCIAL IMPLICATIONS

The recommended adjustments, if adopted by Council, will form part of the 2024/25 budget.

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.

Officers Reports

LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL DETERMINATION 2024

Local Government Remuneration Tribunal Annual Determination 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 39

10.2 MAITLAND FLOODPLAIN RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE

| | |
|-----------------------------|--------------------------------------------------------------------------------------------------|
| FILE NO: | 103/64 |
| ATTACHMENTS: | 1. Maitland Floodplain Risk Management Committee Terms of Reference |
| RESPONSIBLE OFFICER: | Matthew Prendergast - Director City Planning |
| AUTHOR: | Catherine Pepper - Manager Environment & Sustainability |
| MAITLAND +10 | Outcome 12 To be ready in case of more hot days, storms and floods |
| COUNCIL OBJECTIVE: | 12.1.4 Participate in partnership and seek grant funding to achieve climate change action |

EXECUTIVE SUMMARY

This report outlines the outcomes of a review of the Maitland Floodplain Risk Management Committee and provides Terms of Reference for its future operation.

OFFICER'S RECOMMENDATION

THAT

- 1. Council adopt the Terms of Reference for the Maitland Floodplain Risk Management Committee**
- 2. The membership of the committee be reformed following the Council general election**

REPORT

In 2022 Maitland City Council (Council) commissioned Manly Hydraulics Laboratory (MHL) to undertake a comprehensive flooding gap analysis for the Maitland Local Government Area (LGA). The gap analysis provides a basis for an ongoing floodplain risk management work program, designed to comply with the requirements of the NSW Floodplain Risk Management Manual (2023).

Key recommendations from MHL's review were reported to Council on 28 November 2023, and included establishment of the Maitland Floodplain Risk Management Committee as a permanent committee of Council that meets on a scheduled and recurring basis. Council resolved that a further report be provided on the terms of reference for the Maitland Floodplain Risk Management Committee.

Guidance on Floodplain Risk Management Committees

The NSW Flood Prone Land Policy sets the direction for flood risk management (FRM) in NSW. According to the Policy, the management of flood prone land in NSW is primarily the responsibility of local councils. The role of local councils in implementing the policy includes establishing effective FRM governance and consultation arrangements, such as local FRM committees and community engagement, to enable local community groups and individuals to provide input into the FRM process by effectively communicating their aspirations around the management of flooding.

Further guidance on effective FRM governance and consultation arrangements including local FRM committees is set out in the NSW *Flood risk management manual: the policy and manual for the management of flood liable land (2023)*. The Flood Risk Management Manual (2023) is the NSW Government's manual relating to the management of flood liable land in accordance with section 733 of the Local Government Act 1993. This provides councils, statutory authorities, and state agencies and their staff, with indemnity for decisions they make and information they provide in accordance with the manual.

The manual notes that councils should establish an FRM committee to oversee the development of balanced FRM plans through the FRM process. Committees provide important links to state agencies, key stakeholders and the community. Committees assist councils in developing and implementing a FRM plan by contributing ideas, professional expertise, experience, and local knowledge. The manual also recommends that a technical working group (TWG) be formed to support the FRM committee.

An FRM committee is generally an advisory committee and does not have or exercise any formal powers of council. The manual recommends that the committee should report through an established process to the Council or to an appropriate standing committee, which has the final decision-making authority.

Maitland Floodplain Risk Management Committee

Council has previously established a Floodplain Risk Management Committee to meet on an as needs basis when flood studies are in preparation. The committee includes staff, Councilors, community representatives, and representatives from State Emergency Services, Hunter Valley Flood Mitigation Scheme and Department of Climate Change, Energy, the Environment and Water. The 2022 the Flooding Gap Analysis conducted by MHL recommended that committee arrangements be revised to a regular scheduled committee meeting (e.g. twice per year) to oversee both the preparation and implementation of studies and plans.

A review of the role and function of the committee has been undertaken in line with the NSW Floodplain Risk Management Manual (20203) and the committee has met twice yearly in 2022 and 2023. Consultation with the committee on new Terms of Reference took place at the December 2023 and February 2024 committee meetings. Input was also sought from the Water, Floodplains and Coast team within the Department of Climate Change, Energy, the Environment and Water.

MAITLAND FLOODPLAIN RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE (Cont.)

The following improvements to the operation of the existing committee have been identified, and are included in the new Terms of Reference, provided in Attachment 1:

- Increase meeting frequency from twice yearly to quarterly,
- Add a representative from Hunter Local Land Services to the committee in recognition of their role in floodplain management within the Maitland LGA,
- Establish a clear process for adding local, catchment specific representatives to the committee while flood studies are being prepared, and
- Formalise a technical sub-committee in accordance with the recommendations of the manual

CONCLUSION

Adoption of the Terms of Reference will provide clear documentation of how the Maitland Floodplain Risk Management Committee will operate, addressing a necessary component of the flood risk management process.

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 however the Floodplain Risk Management Committee will provide advice on matters relating to floodplain management and flooding policy.

STATUTORY IMPLICATIONS

A Floodplain Risk Management Committee is a necessary component of the floodplain risk management process and is required to ensure compliance with the Floodplain Risk Management Manual (2023). This manual is the NSW Government's manual relating to the management of flood liable land in accordance with section 733 of the Local Government Act 1993. This provides councils, statutory authorities, and state agencies and their staff, with indemnity for decisions they make and information they provide in accordance with the manual.

Officers Reports

MAITLAND FLOODPLAIN RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE

Maitland Floodplain Risk Management Committee Terms of Reference

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 3

10.3 ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024

| | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FILE NO: | 35/33/18/12 |
| ATTACHMENTS: | 1. On the Move |
| RESPONSIBLE OFFICER: | Tiffany Allen - Executive Manager People and Performance Kelly Arnott - Manager Corporate Planning and Performance |
| AUTHOR: | Jenna Parkinson - Corporate Strategy Lead Kate Higgins - Corporate Planning & Reporting Officer Rachna Sangwan - Corporate Performance Lead |
| MAITLAND +10 | Outcome 15. To have an effective and efficient Council |
| COUNCIL OBJECTIVE: | 15.3.1 Monitor and report progress against the delivery of projects and services, as identified in the community Strategic Plan, Delivery Program and annual Operational Plan |

EXECUTIVE SUMMARY

Our On the Move report offers a thorough snapshot of the projects and initiatives within Council's Delivery Program 2022 - 2026. Typically issued every six months, this edition is being presented as a quarterly update to Council due to the caretaker mode in August.

The report is an opportunity to provide information to the community on progress made during the period January to March 2024, including our financial and capital status as of 31 March 2024. It covers key areas such as service and infrastructure delivery, highlights, and financial overview, providing transparency and insight into our progress.

OFFICER'S RECOMMENDATION

THAT

1. Council receive Issue 26 of On the Move, a report for the period January to March 2024 on progressing the Delivery Program 2022 - 2026; and
2. The report be made available to the community on Council's website and promoted via social media.

REPORT

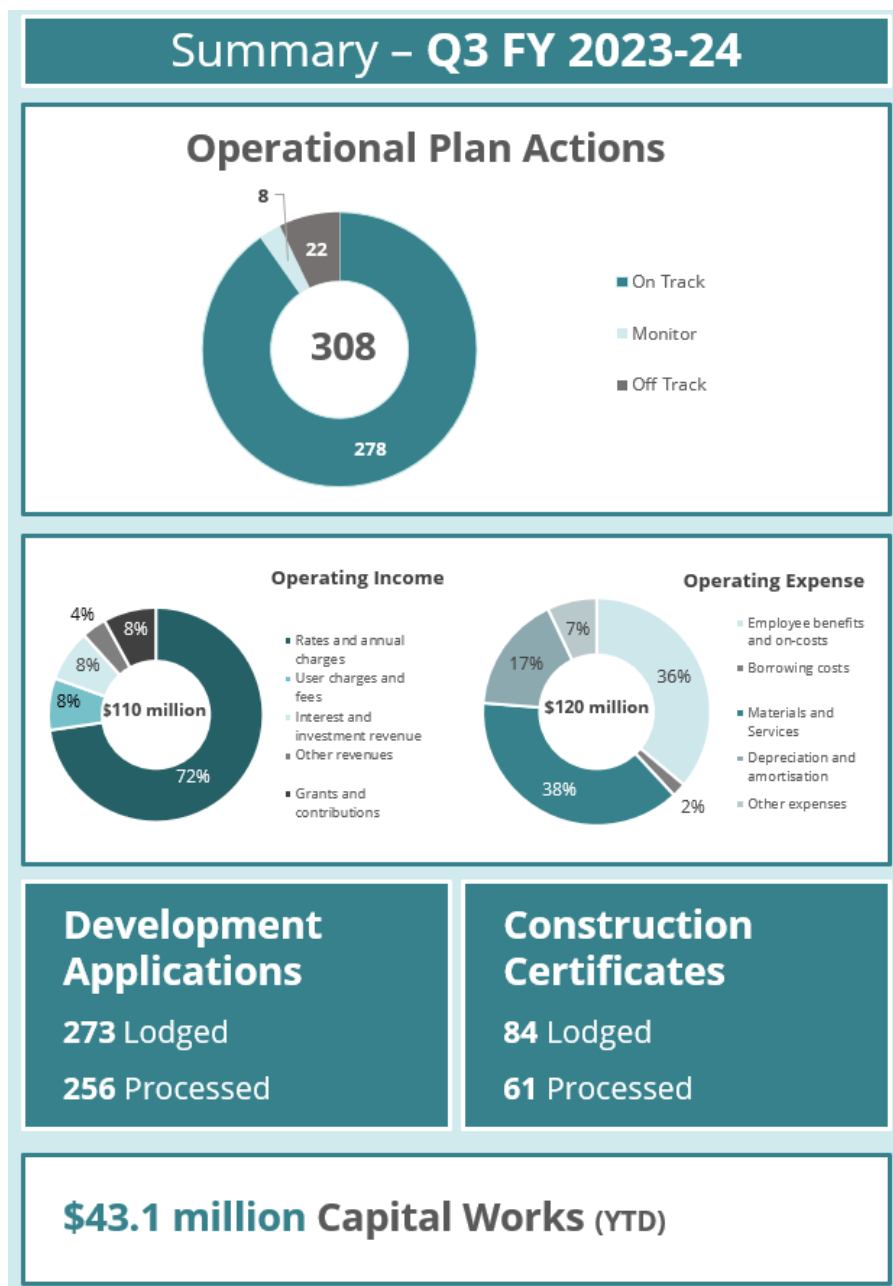
On the Move provides an overview on progress towards our Delivery Program 2022 – 2026, a statement of commitment to the community from our elected Council, translating the community's vision and priorities from Maitland +10 into actions.

ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

On the Move is presented under the four themes of the Delivery Program and provides an overview of progress toward our community outcomes for the third quarter, January to March 2024. In addition to meeting our legislative obligations, the objectives of On the Move are to:

- communicate our vision, themes and outcomes to the community.
- instill community confidence in our ability to show strong leadership and deliver on our promises.
- demonstrate our commitment to being open and transparent.
- celebrate the achievements of our organisation.

Furthermore, On the Move outlines progress towards our Delivery Program 2022 – 2026. It also includes an overall update on Operational Plan actions, operating income and expenditure summary, and a status update on our grant applications.



ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

| | | |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------|------------------------------------------|
|  GRANTS (YTD) | Applied/advocated 29 \$30.3 million | Successful 21 \$23.4 million |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------|------------------------------------------|

Grant funding is an important source of Council revenue to advance the strategic vision and priorities set out in Maitland +10 Council's Community Strategic Plan. Smart investment of grant funds help deliver projects and initiatives that align with the objectives outlined in Council's Delivery Program, the activities of our Operational Plan and other strategic plans adopted by Council.

On the Move highlights our key achievements in grant applications, the table below details the grant applications for FY23-24 YTD

Q3 updates are highlighted below.

■ Successful
■ Pending outcome
■ Unsuccessful

| Grant title | Project name | Status | Grant fund requested | Grant fund approved | MCC contribution |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|--------|----------------------|---------------------|------------------|
| Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) | Delivery of one bus shelter and twenty 26 bus stop upgrades | ■ | \$77,250 | \$77,250 | \$0 |
| Environmental Trust - Environmental Restoration and Rehabilitation Grants Program | Rehabilitation of two Endangered Ecological Communities - habitat and connectivity improvement in Maitland | ■ | \$148,826 | \$148,826 | \$0 |
| Fixing Country Roads - Round 6 / Restart NSW | Tocal Road, Bolwarra Heights | ■ | \$915,000 | \$915,000 | \$400,000 |
| Investing in our Communities | Cooks Square Park improvements | ■ | \$2,000,000 | \$1,000,000 | \$0 |
| | Max McMahon Oval Upgrade | ■ | \$3,000,000 | \$3,000,000 | \$190,000 |

ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

| Grant title | Project name | Status | Grant fund requested | Grant fund approved | MCC contribution |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------|--------|----------------------|---------------------|------------------|
| NSW Floodplain Management Program 2023 | Maitland Local Government Area Floodplain Risk Management Study and Plan | ■ | \$204,668 | \$204,668 | \$102,332 |
| NSW Football Legacy Fund - Round 2 | A&D Lawrence Sportsfield Lighting Upgrade | ■ | \$129,450 | \$129,450 | \$155,550 |
| NSW Museums and Galleries Dobell exhibition grant | Dobell Exhibition grant - artist commissions | ■ | \$10,000 | \$10,000 | \$0 |
| NSW Office of Regional Youth school holiday youth programs | School holiday programs - Maitland Regional Art Gallery | ■ | \$18,000 | \$18,000 | \$0 |
| Regional and Local Roads Repair Program | Repair of potholes on the Local and Regional Road network | ■ | \$1,373,647 | \$1,373,647 | \$0 |
| | Repair of potholes and stabilisation of the Local and Regional Road network | ■ | \$1,924,597 | \$1,924,597 | \$0 |
| Local Roads Community and Infrastructure Program - Phase 4 | Cooks Square Park amenities – East Maitland | ■ | \$272,757 | \$272,757 | \$0 |
| | Shared pathway - Hillgate Drive to A&D Lawrence Sports Field | ■ | \$200,000 | \$200,000 | \$0 |
| | Shared pathway extension - Government Road, Thornton | ■ | \$400,000 | \$400,000 | \$0 |
| | Anambah Road, Anambah – Section between CH3735 (Culvert) and CH4420 | ■ | \$503,425 | \$503,425 | \$0 |

ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

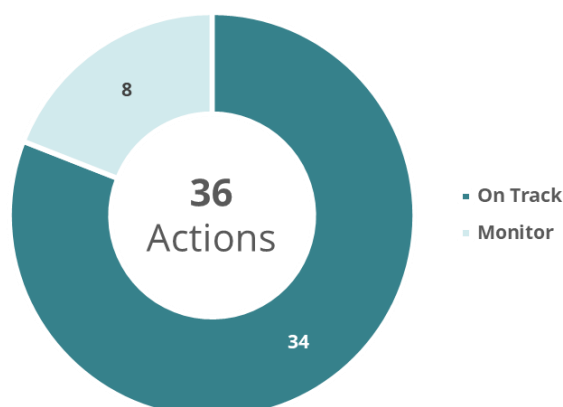
| Grant title | Project name | Status | Grant fund requested | Grant fund approved | MCC contribution |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|--------|----------------------|---------------------|------------------|
| | (Quarry Driveway Entry) | | | | |
| Regional Housing Strategic Planning Fund | East Maitland Catalyst Area Structure Plan and Infrastructure Needs Analysis - Round 2 | ■ | \$243,000 | \$243,000 | \$0 |
| NSW Betterment Program - Regional Roads and Transport Recovery Package | Melville Ford Timber Bridge | ■ | \$2,540,584 | \$2,540,584 | \$0 |
| Local Government Recovery Grants NSW Severe Weather and Flooding | Emergency Works | ■ | \$1,222,062 | \$1,222,062 | \$0.00 |
| State Election Commitment Transport NSW funding | Melville Ford Road and Maitland Vale Road - Upgrade of Upper Hunter roads | ■ | \$6,000,000 | \$6,000,000 | \$0 |
| | Melville Ford Timber Bridge Replacement | ■ | \$2,500,000 | \$2,500,000 | \$0 |
| Block Grant Assistance | 2023-24 funding towards Tocal Road – Rehabilitation, Morpeth Road, traffic facilities and supplementary items | ■ | \$720,000 | \$720,000 | \$0 |
| Crown Reserves Improvement Fund | Walka Water Works timber bridge repair | ■ | \$511,511 | | \$0 |
| Get Active NSW Walking and | East Maitland to Morpeth Shared Path Strategic Assessment | ■ | \$154,000 | | \$0 |

ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

| Grant title | Project name | Status | Grant fund requested | Grant fund approved | MCC contribution |
|-------------------------------------|-------------------------------------------------------------------------------------|--------|----------------------|---------------------|------------------|
| Cycleway Grant | Raymond Terrace Road Thornton Shared path from Settlers Boulevard to Hillgate Drive | ■ | \$647,411 | | \$0 |
| Public Library Infrastructure Grant | Digital Transformation Maitland Libraries | ■ | \$165,627 | | \$0 |
| Urban Rivers and Catchments Program | West Rutherford - ephemeral creek water quality and habitat improvement | ■ | \$1,572,630 | | \$0 |
| Black Spot and Safer Roads | Tigerhawk Drive and Heritage Drive roundabout | ■ | \$452,577 | | \$0 |
| | Desalis Drive Central Median infill | ■ | \$403,311 | | \$0 |
| Level the playing field | Sophia Waters Neighbourhood Sports Centre | ■ | \$2,000,000 | | \$5,000,000 |

Additionally, this quarter, we have commenced monitoring our progress on the actions outlined in our Disability Inclusion Action Plan (including in our overall Operational Plan actions). Here is a snapshot of our current progress, providing us with updates for our Annual Reporting requirements.

Disability Inclusion Action Plan



ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 (Cont.)

CONCLUSION

On the Move provides an overview on the delivery of projects and activities within Council's Delivery Program 2022 - 2026 over the period January to March 2024.

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

The production of On the Move meets the requirements of Section 406 of the *Local Government Act 1993* and the Integrated Planning and Reporting guidelines for six monthly reporting against the Delivery Program.

Officers Reports

ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024

On the Move

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 26

11 POLICY AND FINANCE COMMITTEE

11.1 STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024

| | |
|-----------------------------|------------------------------------------------------------------------------------------------------|
| FILE NO: | 82/2 |
| ATTACHMENTS: | 1. Council's Holdings as at 30 April 2024 |
| RESPONSIBLE OFFICER: | Mary O'Leary - Executive Manager Finance Annette Peel - Manager Finance & Procurement |
| AUTHOR: | Narelle Jeffries - 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 April 2024, Council had investments totalling \$207,168,513 under management.

Council's investment portfolio recorded a marked-to-market return of 4.97% per annum versus the bank bill index benchmark return of 4.37% per annum. The actual investment return for the month of April was \$843,581 a favourable variance of \$115,906 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.**

REPORT

For the month of April 2024, Council has total cash on call and investments of \$207,168,513 comprising:

- On call accounts \$7,030,466
- Investments \$200,138,047

STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (Cont.)

This is compared to the month of March 2024 where Council had \$214,521,666 under management. The reduction is due to an increase in expenditure during the month. Whilst Council has in excess of \$200 million under management, 57% of the portfolio is externally restricted funds, pertaining to developer contributions and domestic waste management reserves.

In April, Council's investment portfolio recorded a marked-to-market return of 4.97% per annum versus the bank bill index benchmark return of 4.37% per annum. Over the past 12 months, the investment portfolio has returned a marked-to-market return of 4.81%, versus the bank bill index benchmark's 4.24%.

Without marked-to-market influences, Council's investment portfolio yielded 5.17% per annum for the month. 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 April, Council had maturities of \$15 million across seven term deposits with terms ranging between 5 to 10 months paying an average of 5.19% per annum.

Council invested \$10 million across four term deposits with maturities between 9 to 12 months paying an average of 5.06% per annum. Council also took advantage of a newly issued senior ranked floating rate note for its long term portfolio. Council invested \$2.5 million in a 5 year Bank of Queensland Floating Rate Note paying quarterly interest of 3 month bank bill swap rate +1.28% per annum whose first quarterly rate set is 5.69% per annum.

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 – commentary provided by Prudential Investment Services:

- Reflecting the unexpected resilience of the global economy, the International Monetary Fund revised up its global growth forecasts for 2024 to 3.2%, matching 2023's growth figure.
- The world economy has proven to be durable over the past year, defying predictions of a recession. However, there are lingering concerns that price pressures have not been sufficiently contained and that new trade barriers will be erected in response to a recent surge of cheap Chinese exports such as electric vehicles, lithium batteries and solar panels that are flooding global markets.
- In Europe, economic output is trending higher but remains sluggish, with growth increasing from 0.4% in 2023 to 0.8% this year. With eurozone inflation slowing to 2.4%, there is speculation that the European Central Bank may cut rates in June.
- In the US, the economy grew slower than expected in the first quarter. Gross Domestic Product figures fell short of the forecast 2.2% growth, at 1.6% year on year. Meanwhile, first quarter core annual inflation stood at 3.7%, above analyst estimates of 3.4%, suggesting that the Federal Reserve may delay cutting interest rates until late 2024.

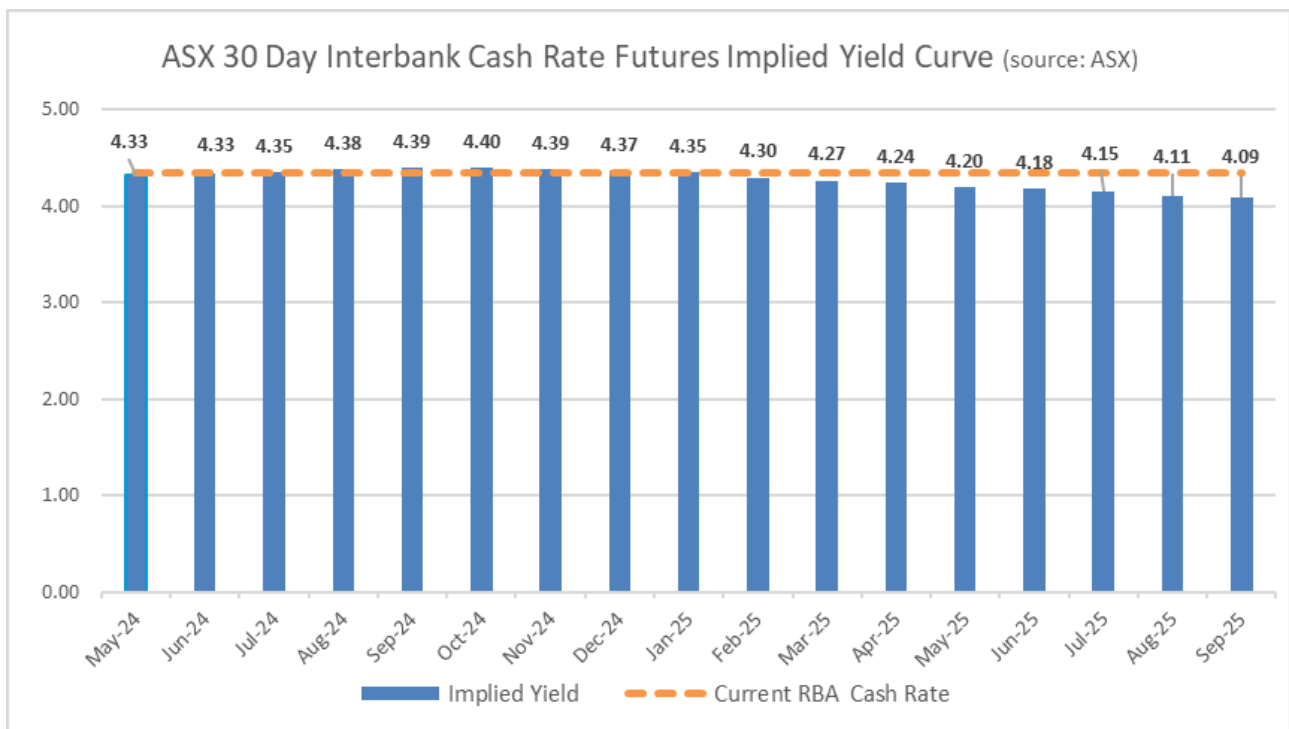
STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (Cont.)

Domestic issues - commentary provided by Prudential Investment Services:

- Annual headline inflation, at 3.6% year over year and underlying inflation at 4% year over year, slowed further in the March quarter but were higher than forecasted due to strength in services prices, particularly rents, health, education and insurance.
- Consumer confidence remains weak, falling again in early April, and remains around recessionary levels. Perceptions around family finances, the economy and whether it's a good time to buy major household items all remain depressed, pointing to still subdued consumer spending.
- Financial conditions for the domestic business sector have remained more favourable than for households. While interest expenses have increased for businesses, they have been partly buffered by higher earnings.
- The unemployment rate rose slightly to 3.8% in March, up from 3.7% in February. The number of full-time positions rose by 27,900 last month, but that increase was offset by a loss of 34,500 part-time positions.

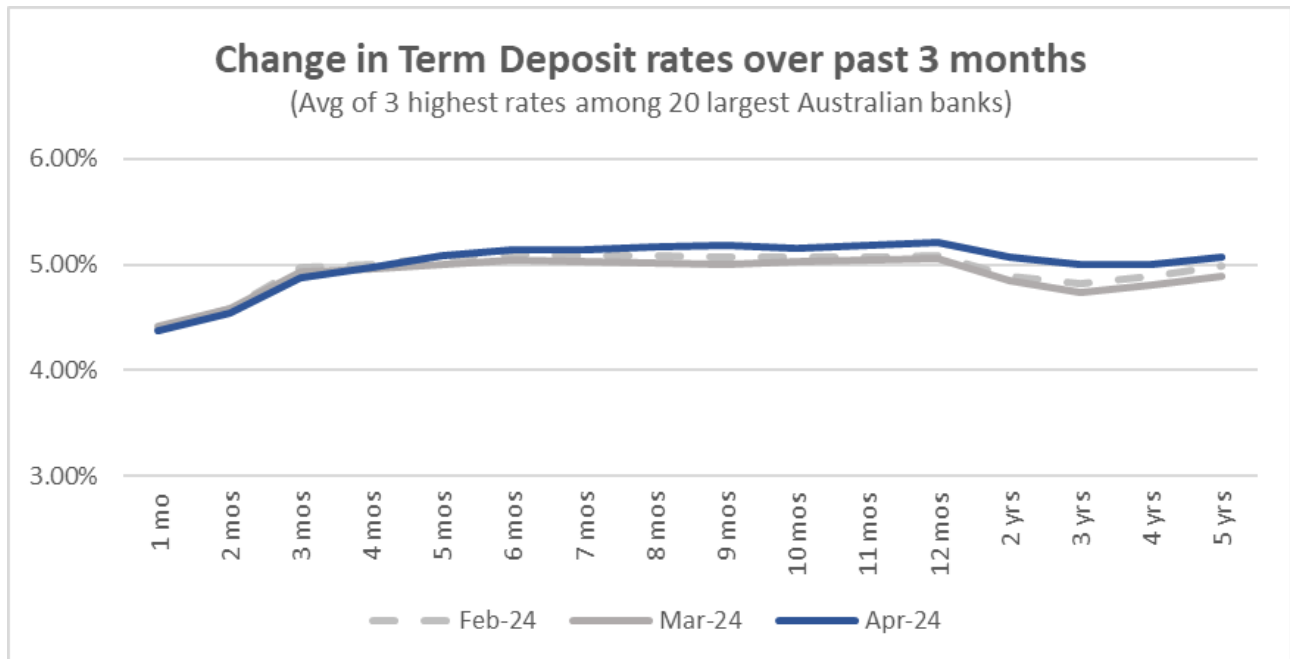
Interest rates - commentary provided by Prudential Investment Services:

- The RBA kept the official cash rate unchanged at 4.35% following its meeting in mid-March, the next meeting is May 6-7.
- Despite a loss of 6,600 jobs in March, Australia's labour market remains very tight. This, along with the higher than expected inflation data, contributed to the market pushing out the expected timeframe for when the RBA will start cutting rates.
- The market is currently not expecting a full 25 basis point rate cut for at least 16 months:



STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (Cont.)

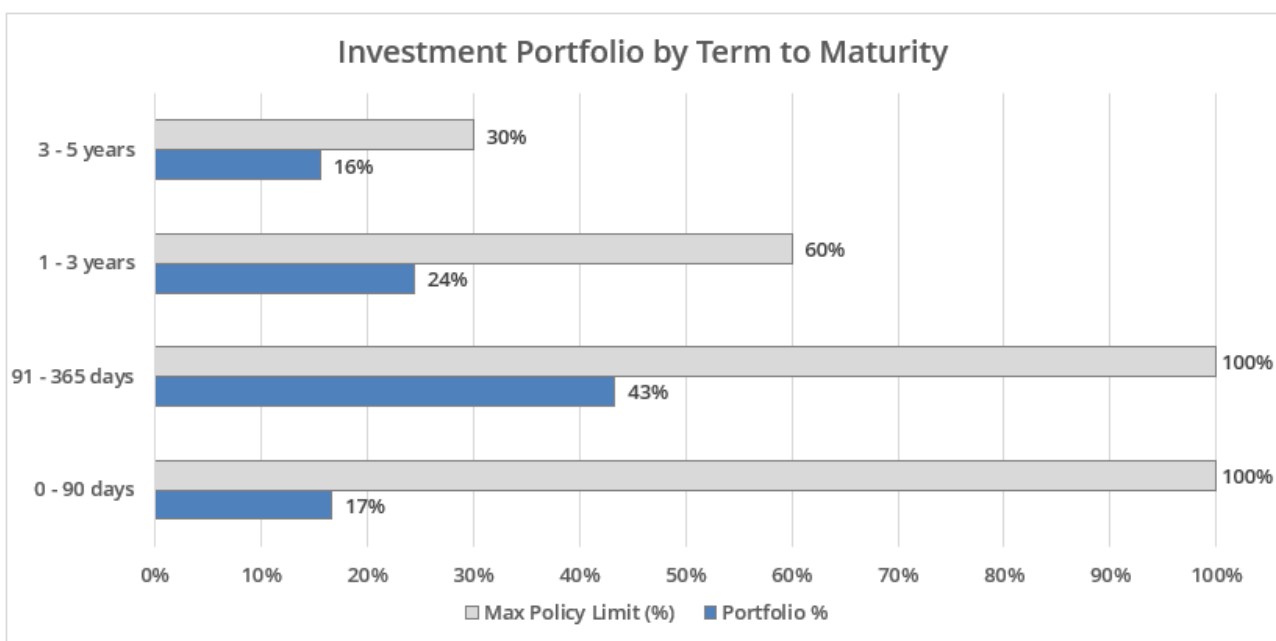
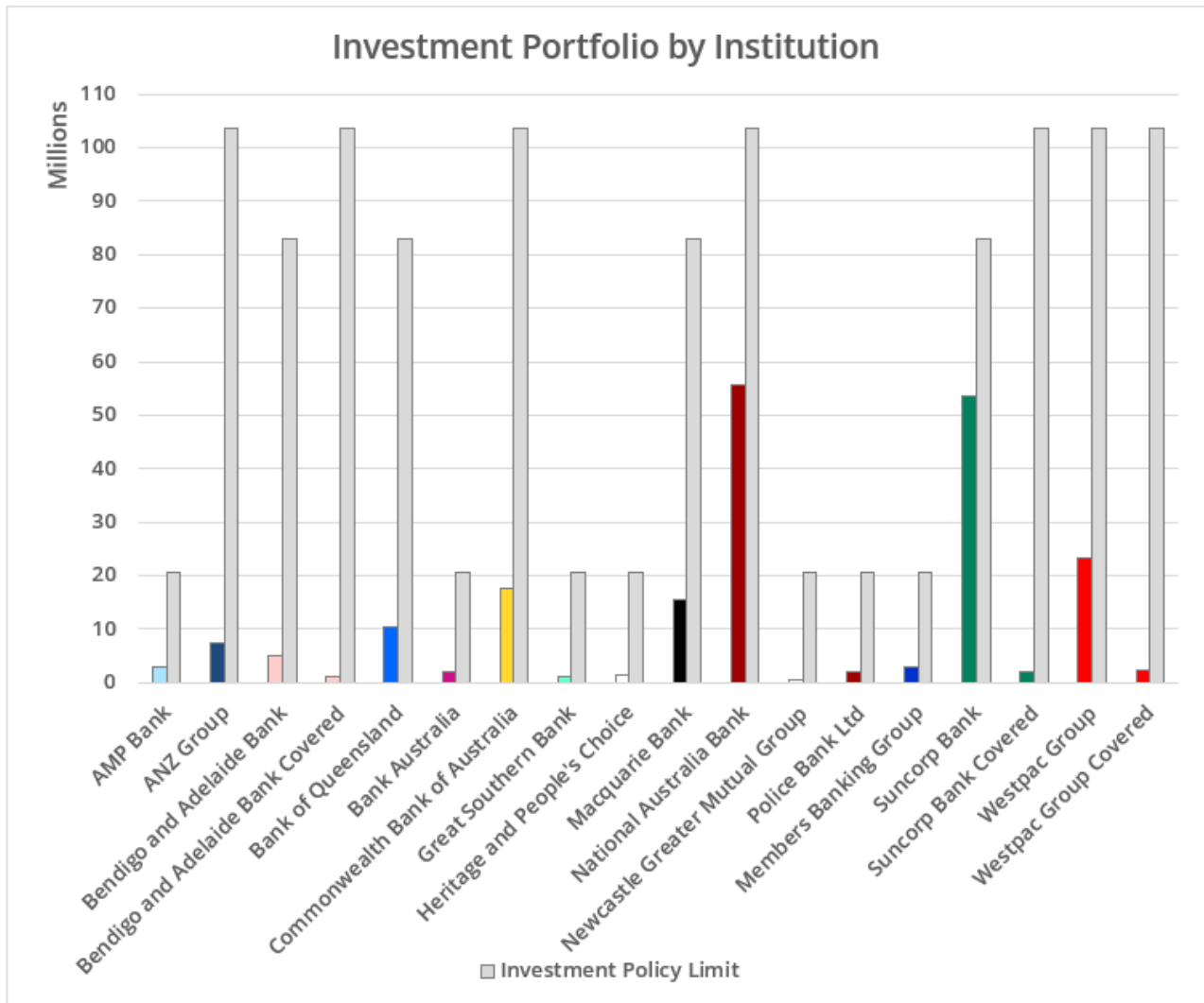
- In April, term deposit rates across the 5 month to 5 year range increased by an average of 15 basis points, with the largest gains over the 2 and 3 year periods in reaction to the higher than expected inflation data possibly forestalling an RBA rate cut any time soon. The most competitive rates remain in the 9-12 month area.



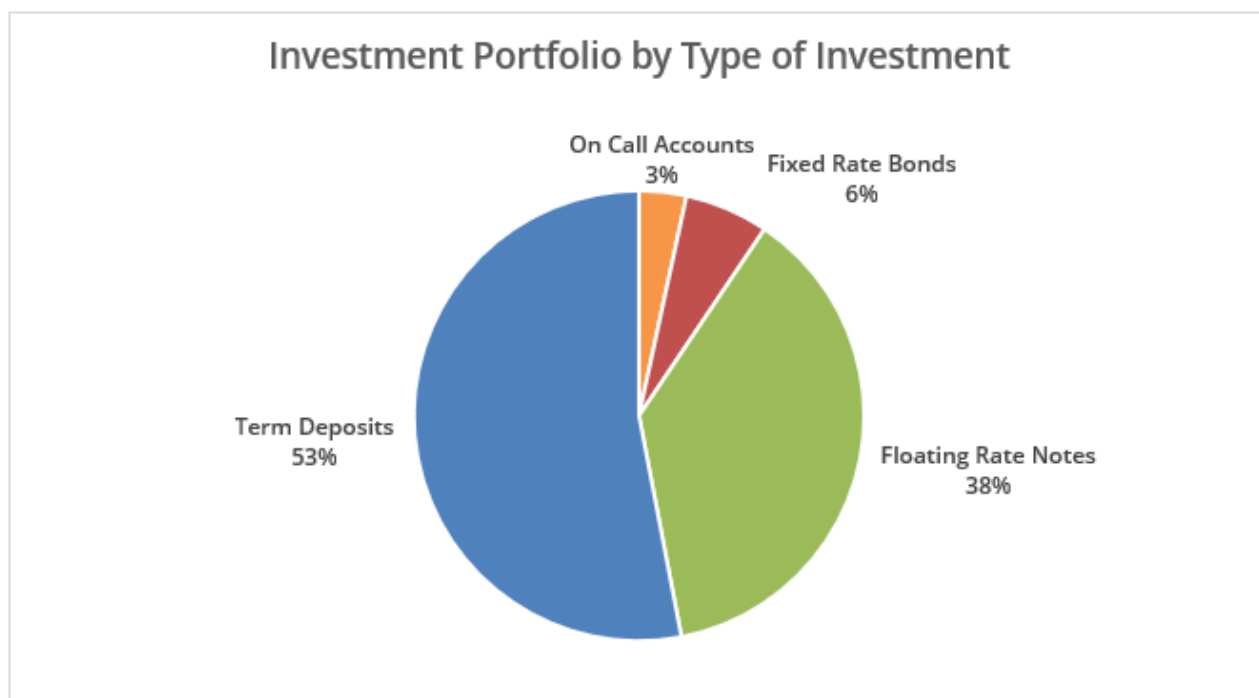
All market commentary is provided by Prudential Investment Services who advise on the management of Council's investment portfolio.

STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (Cont.)

PORTFOLIO ANALYSIS



STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (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 April 2024 |
|-------------------------------------------------|---|---------------------------------------------------------------------------------------|

Investment Policy Requirement

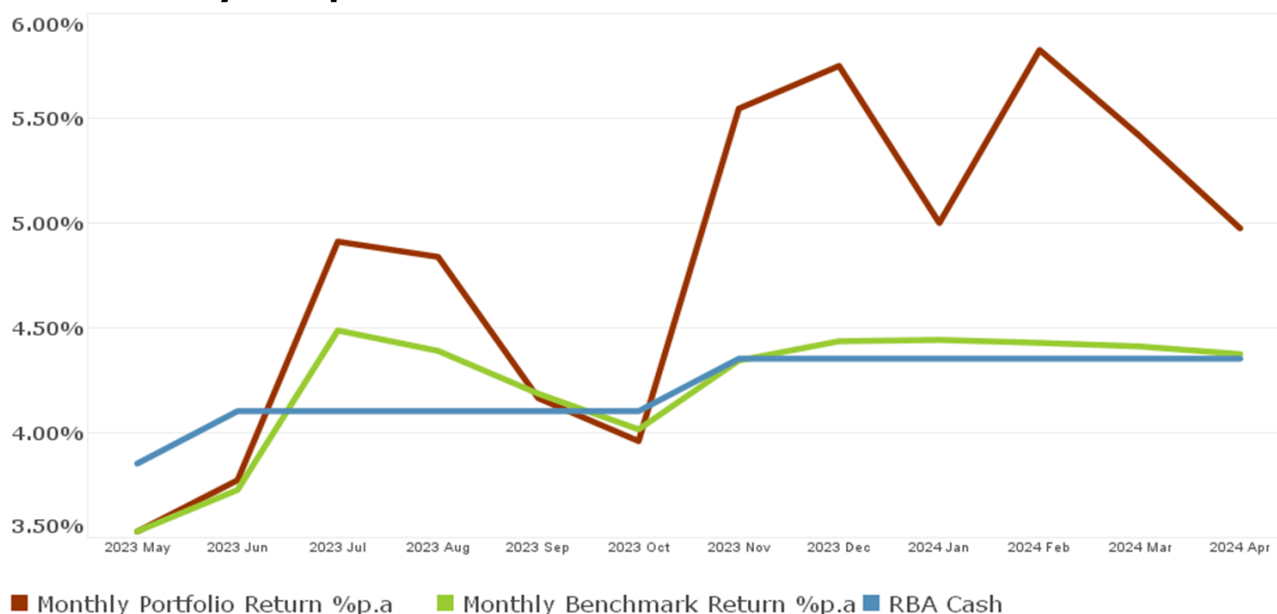
| | | |
|-------------------------------|---|-----------------|
| Legislative requirements | ✓ | Fully compliant |
| Portfolio credit rating limit | ✓ | Fully compliant |
| Institutional exposure limits | ✓ | Fully compliant |
| Term to maturity limits | ✓ | Fully compliant |

Investment Performance v Benchmark

| Term | Investment Portfolio Return | Benchmark: Bloomberg AusBond 90 day Bank Bill Index | RBA cash rate |
|-----------|-----------------------------|-----------------------------------------------------|---------------|
| 1 month | 4.97% | 4.37% | 4.35% |
| 3 months | 5.40% | 4.40% | 4.35% |
| 6 months | 5.41% | 4.40% | 4.35% |
| FYTD | 5.03% | 4.35% | 4.25% |
| 12 months | 4.81% | 4.24% | 4.21% |

STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024 (Cont.)

Monthly Comparison: Investment Performance vs Benchmark



CONCLUSION

Certification of 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.

FINANCIAL IMPLICATIONS

The actual investment return for the month of April was \$843,581. This amounts to a favourable variance of \$115,906 when compared to the revised monthly budget forecasts of \$727,675. It should be noted that \$96,702 of this variance has been allocated to the externally restricted funds.

The revised year-to-date budget forecast for investment returns is \$7,276,750. The actual investment returns for the year to date are \$8,920,932, amounting to a favourable variance of \$1,644,182 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

Policy and Finance Committee

STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024

Council's Holdings as at 30 April 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 2

11.2 THIRD QUARTER BUDGET REVIEW 2023/24 - PERIOD ENDED 31 MARCH 2024

| | |
|-----------------------------|-------------------------------------------------------------------------------------------|
| FILE NO: | 2 |
| ATTACHMENTS: | 1. Third Quarter Budget Review 2023/24 - 31 March 2024 |
| RESPONSIBLE OFFICER: | Mary O'Leary - Executive Manager Finance |
| AUTHOR: | Michael Burfitt - Chief Financial Officer Tracey Tighe - Senior Corporate 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

The attached Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of each quarter. It is a mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan (original budget) and the last revised budget, along with recommended changes and reasons for major variances. Presentation of the Quarterly Budget Review Statement has been updated from that presented in prior years.

Included in the statement are a series of capital adjustments (total value \$ 13.9M) to reflect the repositioning of capital works from the 2023/24 budget into the 2024/25 budget to reflect the planned delivery of the works. These include Chisholm Sportsground \$7.3M and the Melville ford bridge replacement \$3M. In addition a number of projects were deferred pending further works including the Chisholm and Thronton multipurpose centres \$4.5M.

The \$2.3m improvement in the operating result (before capital) reflects additional income from investments \$1.5M and estimate in insurance claim proceeds from the Bowling club fire \$2.3M brought to account. In addition, flood repairs works of \$1.1M were deferred to 2024/25. These are offset by restructure costs of \$0.7M and costs associated with the bowling club site \$1.5M.

OFFICER'S RECOMMENDATION

THAT

1. The variations for the 31 March 2024 quarter be approved and form part of the Operational Plan for 2023/24.

REPORT

Clause 203 of the Local Government (General) Regulation 2005 requires Council's responsible accounting officer to prepare and submit the QBRs to Council within two months of the end of each quarter (except the June quarter).

THIRD QUARTER BUDGET REVIEW 2023/24 - PERIOD ENDED 31 MARCH 2024 (Cont.)

The QBRS is composed of the following components:

- Statement by Responsible Accounting Officer set out below;
- Budget Review - Income and Expenses Statement;
- Budget Review - Capital Statement;
- Budget Review - Cash and Investments;
- Budget Review - Key Performance Indicators;
- Budget Review - Contracts and Other Expenses.

The variations are outlined in the attached report and show a net favourable adjustment to operating activity (before capital) of \$2.3M with detailed explanations provided for the movements in the Income and Expenses Statement. The Capital Statement provides a summary of the variations of capital expenditure of (\$13.9M) for approval with a detailed explanation for those changes including the funding source in the "Capital Expenditure – Recommended Changes to the Budget" on page 5 of the report.

Statement by the Responsible Accounting Officer:

In my opinion the Quarterly Budget Review Statement for Maitland City Council for the quarter ended 31 March 2024 indicates that Council's projected financial position at 30 June 2024 is satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Michael Burfitt
Responsible Accounting Officer
Maitland City Council
15 March 2024

CONCLUSION

The Income and Expenditure Statement incorporates those income and expenditure items that the officers are aware of for the period 1 July 2023 to 31 March 2024. Items of a capital as well as non-capital nature have been identified and are presented for consideration.

FINANCIAL IMPLICATIONS

The recommended adjustments, if adopted by Council, will form part of the Operational Plan 2023/24.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

The Quarterly Budget Review Statement is required under Clause 203 of the Local Government (General) Regulation 2005.

Policy and Finance Committee

THIRD QUARTER BUDGET REVIEW 2023/24 - PERIOD ENDED 31 MARCH 2024

Third Quarter Budget Review 2023/24 - 31 March 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 13

11.3 FINANCIAL RESERVES POLICY

| | |
|-----------------------------|--------------------------------------------------------------------------------------------------|
| FILE NO: | 2/8/26 |
| ATTACHMENTS: | 1. Financial Reserves Policy 2024 |
| RESPONSIBLE OFFICER: | Mary O'Leary - Executive Manager Finance |
| AUTHOR: | Michael Burfitt - Chief Financial 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

The annual statutory financial statements of Council include a summary of the funds held in the external and internal financial reserves. These reserves have been established over time and are managed in accordance with Council's adopted Financial Reserves Policy, which documents the agreed direction and controls, as well as a target balance to be held in each reserve.

The Financial Reserves Policy has recently been updated to include an internal reserve covering the capital works of Council and an updated policy is now presented to Council for adoption.

OFFICER'S RECOMMENDATION

THAT

- Council adopt the Financial Reserves Policy 2024**

REPORT

Council's long term financial plan incorporates the establishment and management of financial reserves to ensure long term financial sustainability and capacity to provide infrastructure and services into the future.

In the preparation of Council's annual statutory financial statements, funds are set aside in the external and internal reserves. Reserves have been established over time and are managed in accordance with the adopted Financial Reserves Policy.

Both externally and internally restricted financial reserves are established and managed to meet a range of objectives.

Externally restricted financial reserves are established to meet legislative requirements, primarily unspent developer contribution funds and unspent grants received by Council. These unspent funds are set aside as externally restricted assets in financial reserve as they can only be expended for that purpose.

Internally restricted financial reserves are established at the discretion of Council and are used to meet a variety of circumstances, generally focused on a specific activity or service of Council. These unspent funds are set aside as internally restricted assets in the internal financial reserves.

FINANCIAL RESERVES POLICY (Cont.)

Internally Restricted Financial Reserves

These reserves have been established to support decisions of Council for current and future requirements and to manage unforeseen events that may impact Council's ability to maintain service levels. The aim is to set aside funds over time to contribute to planned and unplanned events and reduce the burden of budget funding in any one year. It should be noted that a degree of flexibility is required as Council's priorities may change.

Target reserve balances have been established to provide guidance on the preferred position however this may not always be achievable due to circumstances described above.

The policy has been amended to include a Capital Works Reserve.

The Capital Works Reserve has been established to provide funding that supports the previously approved program adopted by Council where certain projects are unable to be completed in the year that require Council funds into a future year. There has been no target adopted for this reserve.

The amendments to this policy will provide the guidance when preparing Council's long term financial plans and budgets ensuring financial sustainability into the future.

CONCLUSION

The adoption of the amended Financial Reserves Policy will ensure Council has sufficient funding for current and future operating requirements, capital expenditure and debt servicing. Further it provides financial capacity for addressing unforeseen events that may impact on Council's ability to maintain service levels.

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

The Financial Reserves Policy is in accordance with *Local Government Act 1993 (NSW)* and *Local Government Code of Accounting Practice*.

Policy and Finance Committee

FINANCIAL RESERVES POLICY

Financial Reserves Policy 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 6

11.4 DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY

| | |
|-----------------------------|-------------------------------------------------------------------------------------------|
| FILE NO: | 35/1/2 AND 35/1/3 |
| ATTACHMENTS: | 1. Designated Persons - Duties of Disclosure Policy |
| RESPONSIBLE OFFICER: | Jeff Smith - General 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: | 15.1.2 Ensure Council is financially sustainable and meets required levels of performance |

EXECUTIVE SUMMARY

The Designated Persons – Duties of Disclosure Policy is required to be reviewed annually. All staff positions are reviewed annually against the criteria outlined within the Local Government Act 1993. The current policy was adopted in June 2023. The policy has been reviewed and is being reported to Council.

The purpose of the Designated Persons Duties of Disclosure Policy is to identify all staff including the General Manager who hold a position on which exercising the functions of the position could give rise to a conflict between a person's duty as a member of staff and the person's private interest.

OFFICER'S RECOMMENDATION

THAT

1. The Designated Persons Duties of Disclosure Policy 2024 be adopted.

REPORT

The Designated Persons – Duties of Disclosure Policy is reviewed annually. The purpose of the review is to identify any changes which have occurred in the previous twelve months to the roles and functions of staff positions within Council against the criteria. The current policy was adopted by Council in June 2023.

A designated person is defined under clause 4.8 of the Code of Conduct. Designated persons are defined as:

1. The General Manager,
2. Other senior staff of the council for the purposes of section 332 of the Local Government Act 1993,

DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY (Cont.)

3. Any other member of staff or delegate of council who holds a position involving the exercise of council's functions (such as regulatory or contractual functions), which in their exercise could give rise to a conflict between a person's duty as a member of staff and the person's private interest and
4. A member of a committee of council whose functions involve the exercise of council's functions (such as regulatory or contractual functions), which in their exercise could give rise to a conflict between a person's duty as a member of the committee and the person's private interest.

CONCLUSION

Each staff member who is deemed a designated person is required to complete a Disclosure of Interest Return within 3 months of commencing in their role and at the end of each financial year thereafter.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Adoption of the revised policy will result in an update to the policy register.

STATUTORY IMPLICATIONS

The completion of the Disclosure of Interest Returns by designated persons allows Council to meet its compliance requirements under the Code of Conduct.

Policy and Finance Committee

DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY

Designated Persons - Duties of Disclosure Policy

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 4

11.5 COPYRIGHT POLICY REVIEW

| | |
|-----------------------------|------------------------------------------------------------------------------------------|
| FILE NO: | 110/15 |
| ATTACHMENTS: | 1. Copyright Policy V1.1 2024 |
| RESPONSIBLE OFFICER: | Mark Margin - Executive Manager Customer & Digital Services |
| AUTHOR: | Ned Scopulovic - Manager Enterprise Architecture |
| 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 is dedicated to upholding the principles of transparency and adherence to legal obligations. The Copyright Policy serves to ensure compliance with the Copyright Act 1968 (Cth), safeguard the copyrights of third parties, protect Council's own copyrights, and establish a robust framework for copyright compliance.

OFFICER'S RECOMMENDATION

THAT

1. Council adopts the Copyright Policy V1.1 2024

REPORT

Maitland City Council is committed to upholding the provisions of the Copyright Act 1968 (Cth). The review ensures that all usage of copyright material by the Council complies with the Copyright Act 1968 (Cth) and any relevant copyright 'Terms of Use' agreements or licenses currently in effect. The Council reaffirms its stance against any activities that may constitute a breach of the Copyright Act 1968 (Cth).

The review of the Maitland City Council Copyright Policy resulted in the following notable amendments:

- Renumbered all sections and titles to be aligned to Maitland City Council template guidelines.
- Enhancements to all sections to ensure compliance with the Copyright Act 1968 (Cth).
- Clarification on subject-matter categories and copyright protection.
- Clarification on expiry of copyrights for specific subject-matter categories.
- Formalise copyright compliance when utilising copyrighted materials, both internally and externally.

COPYRIGHT POLICY REVIEW (Cont.)

CONCLUSION

To ensure ongoing alignment with legal requirements and best practices, Maitland City Council conducted a comprehensive review of its Copyright Policy. This review reaffirms the Council's commitment to compliance and the protection of intellectual property rights.

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.

Policy and Finance Committee

COPYRIGHT POLICY REVIEW

Copyright Policy V1.1 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 5

11.6 RESCINDING OF FEES AND CHARGES POLICY - SPORTSGROUNDS, FACILITIES & RESERVES

| | |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| FILE NO: | 101/1 |
| ATTACHMENTS: | 1. Fees and Charges Policy Sportsgrounds, Facilities and Reserves 2010 |
| RESPONSIBLE OFFICER: | Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation |
| AUTHOR: | Samantha Thomas - Team Leader Community & Sport Liaison |
| MAITLAND +10 | Outcome 1 To stay friendly, happy and proud as our city grows |
| COUNCIL OBJECTIVE: | 1.1.2 Provide inclusive spaces where people can access services, and participate in a wide range of recreation, cultural and social activities |

EXECUTIVE SUMMARY

Maitland City Council's 'Fees and Charges Policy - Sportsgrounds, Facilities and Reserves' last adopted 2010, has been reviewed in consultation with key Council staff and an external consultant. The current fees and charges schedule has been reviewed with considerations related to Council policies, procedures and best practice approaches. Council staff recommendation would be to rescind the current Fees and Charges Policy in lieu of the adopted fees and charges schedule in combination with a Community and Recreation Facilities - Operational Manual which is currently in development.

The rescinding of the 'Fees and Charges Policy Sportsgrounds, Facilities and Reserves' will ensure that Council effectively and efficiently complies with the current fees and charges schedule adopted each year in Council's Operation Plan as well as providing a more structured approach to facility management with the addition of procedural document that can be regularly updated.

OFFICER'S RECOMMENDATION

THAT

- 1. Council rescind the current 'Fees and Charges Policy - Sportsgrounds, Facilities and Reserves 2010' as shown as Attachment 1**

REPORT

Council policies are strategic documents which formally express Council's position on a particular issue. Policies are designed to guide the organisation's decision-making, and are made publicly available on Council's website. Policies are not intended to cover operational matters, which are more appropriately documented by way of internal protocols and procedures.

Over time, policies may become redundant as new legislation is implemented, new strategies, plans and standards have been developed, and the organisation and its approach to policies and protocols has evolved.

A recent review of the '*Fees and Charges Policy - Sportsgrounds, Facilities and Reserves* has been undertaken by an external consultant in consultation with Council staff. The existing policy required review to better reflect the adopted fees and charges schedule which is reviewed every financial year in Council's operational plan, as well as align with other local Council's fees and charges for comparable facilities.

As part of this review, it has been identified that the '*Fees and Charges Policy - Sportsgrounds, Facilities and Reserves* has information that primarily relates to operational matters, has become redundant and can be addressed in other documents of Council. It is proposed that this policy be rescinded as it no longer required and replaced by Council's adopted Fees and Charges schedule.

The following policy has been identified for rescission for the reasons set out below:

| Policy Name | Date Adopted | Reason for rescission |
|------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Fees and Charges Policy - Sportsgrounds, Facilities and Reserves | 14 August 2012 | Policy is outdated, no longer required and will be replaced by internal protocols in combination with Council's adopted fees and charges schedule |

CONSULTATION

External consultation was conducted with other Local government or similar organisations by the Consultant. A Council briefing was conducted with Councillors in regard to the proposed 2024/25 Fees and Charges schedule. Council staff also notified the regular user groups of the Draft Operational Plan and encouraged feedback to be submitted during the public exhibition period.

RESCINDING OF FEES AND CHARGES POLICY - SPORTSGROUNDS, FACILITIES & RESERVES (Cont.)

CONCLUSION

Rescinding unnecessary and outdated policies will result in a suite of corporate documents which is current and accurate and will help to ensure effective governance of Council operations.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

| Risk | Risk rating | Proposed treatment | Proposed risk rating | Resourcing- within or additional |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------|----------------------|----------------------------------|
| There is a risk that there will be confusion surrounding the grading of the facilities and subsequent fees associated with these facilities which may lead to incorrect charges | Medium | Adopt the recommendation. | Low | Within existing resources |
| There is a reputational risk due to the Policy being outdated and last reviewed in 2010 which may lead to lack of confidence in Council policy. | High | Adopt the recommendation | Low | Within existing resources |

POLICY IMPLICATIONS

This report involves the rescinding of a policy and will therefore require an amendment to Council's Policy Register.

STATUTORY IMPLICATIONS

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

Policy and Finance Committee

RESCINDING OF FEES AND CHARGES POLICY - SPORTSGROUNDS, FACILITIES & RESERVES

Fees and Charges Policy Sportsgrounds, Facilities and Reserves 2010

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 16

11.7 REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES

| | |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FILE NO: | 129/1 |
| ATTACHMENTS: | <ol style="list-style-type: none"> 1. Alcohol Policy - Sportsgrounds, Venues and Reserves 2024 2. Alcohol Policy - Sportsgrounds, Facilities and Reserves 2012 |
| RESPONSIBLE OFFICER: | <p>Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation</p> |
| AUTHOR: | Samantha Thomas - Team Leader Community & Sport Liaison |
| MAITLAND +10 | Outcome 1 To stay friendly, happy and proud as our city grows |
| COUNCIL OBJECTIVE: | 1.1.2 Provide inclusive spaces where people can access services, and participate in a wide range of recreation, cultural and social activities |

EXECUTIVE SUMMARY

Maitland City Council's Alcohol Policy – Sportsgrounds, Facilities & Reserves was adopted on 14 August 2012 and was due for revision. As a result of this, a review of the policy was conducted by the Community & Recreation Planning Team in collaboration with key stakeholders including the Major Venues & Facilities Team, the Events team, local Police and the Independent Liquor and Gaming Association.

This report presents the revised Alcohol Policy – Sportsgrounds, Venues & Reserves (updated Policy name), for adoption, with the key changes being outlined. The revised Alcohol Policy – Sportsgrounds, Venues & Reserves outlines the framework, legislative requirements, constraints, and process for the sale, consumption and or storage of alcohol at a Council facility.

OFFICER'S RECOMMENDATION

THAT

1. Council place on exhibition the Alcohol Policy – Sportsgrounds, Venues & Reserves 2024 as shown as Attachment 1
2. If no submissions are received opposing the Policy then Council adopts the draft policy as final
3. If Council receives submissions opposing the policy then a future report will be provided to Council for consideration

REPORT

Council policies are strategic documents which formally express Council's position on a particular issue. Policies are designed to guide the organisation's decision-making and are made publicly available on Council's website. Policies are not intended to cover operational matters, which are more appropriately documented by way of internal protocols and procedures.

Maitland City Council has recently conducted a review of multiple policies requiring revisions due to outdated information and/or changes in legislative requirements or Council procedures. As part of this review, the Alcohol Policy – Sportsgrounds, Facilities & Reserves has been revised with minimal changes to policy framework. Additionally, specific conditions have been included in the new policy to better reflect Council's operational procedures and any changes to relevant legislation.

The Alcohol Policy aims to provide sporting bodies, user groups, casual hirers and the wider community with a set of established standards relating to the sale, consumption and storage of alcohol within Council venues. The Policy maintains the times at which alcohol can be sold, including a specific timeframe at sportsgrounds between junior matches concluding and senior matches commencing. This policy also outlines the implications of failing to comply with the stipulated conditions, and the documentation required by Council if a hirer will be permitting the consumption of alcohol as part of their booking.

After review by key stakeholders, including Council's City Services Officers, the local Police and endorsement from the Independent Liquor and Gaming Authority, the following itemised information, as noted in attachment 1, outlines the key Policy amendments:

1. Changes to reflect current wording/naming conventions.
 - 1.1. Policy name change, *from Alcohol Policy – Sportsgrounds, Facilities & Reserves to Alcohol Policy – Sportsgrounds, Venues & Reserves*
2. Revision to any legislative or policy changes
3. New condition implemented to better reflect Council's position and ability to decline applicants of their booking, if required, regardless of whether a liquor license has been approved.
4. New condition implemented to outline the hirers responsibility to provide Council with a copy of the Liquor license after approval by the Independent Liquor and Gaming Authority (ILGA)

REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES (Cont.)

5. For community clarity, the Conditions for the Sale, Storage & Consumption of alcohol have been identified separately as sportsgrounds and community venues/reserves.
6. New condition implemented surrounding the Alcohol-Free Zones and Alcohol Prohibited areas, with specification for allowances when an Alcohol-free zone has been suspended with approval by Council.
7. To increase transparency with the community, the Policy has reference to fines being applicable as per the fees and charges schedule, in the instance where the Policy, Council's conditions or Legislation has not been adhered to.

CONSULTATION

Council staff have consulted with the Port Stephens Hunter Police and have received endorsement from the Independent Liquor and Gaming Authority for the changes to the Alcohol policy, which is in alignment with relevant legislation. Council's Town Planning Team were informed of the revised Policy. Council staff will contact all relevant user groups to advise that the policy is being placed on public exhibition.

CONCLUSION

Council has previously endorsed the Alcohol Policy – Sportsgrounds, Facilities and Reserves in 2012 which was due for revision. This Policy has been reviewed with changes to include updates to the Policy name, business group, legislation, necessary conditions and to more clearly articulate the process and responsibilities of both the hirer and Council when utilising a Council facility with the intention to either sell, serve, store or consume alcohol.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

| Risk | Risk rating | Proposed treatment | Proposed risk rating | Resourcing- within or additional |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------|----------------------|----------------------------------|
| There is a risk of reputational damage due to the Policy being outdated and last reviewed in 2010 which may lead to lack of confidence in Council policy. | High | Adopt the recommendation | Low | Within existing resources |

REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES (Cont.)

| Risk | Risk rating | Proposed treatment | Proposed risk rating | Resourcing- within or additional |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------|----------------------|----------------------------------|
| There is a risk of Council utilising outdated Legislation that may lead to inadequate enforcement of legislation. | High | Adopt the Recommendation | Low | Within existing resources |
| There is risk of confusion around the management of Alcohol-Free Zones or Alcohol Prohibited Areas that may lead to an inability to follow procedure as required. | Low | Adopt the Recommendation | Low | Within existing resources |

POLICY IMPLICATIONS

The adoption of Alcohol Policy – Sportsgrounds, Venues & Reserves, will result in an amendment to Council’s Policy Register to reflect the revised Policy.

STATUTORY IMPLICATIONS

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

Policy and Finance Committee

REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES

Alcohol Policy - Sportsgrounds, Venues and Reserves 2024

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 5

Policy and Finance Committee

REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES

Alcohol Policy - Sportsgrounds, Facilities and Reserves 2012

Meeting Date: 28 May 2024

Attachment No: 2

Number of Pages: 7

11.8 SECTION 356 COMMUNITY GRANTS POLICY REVIEW

| | |
|-----------------------------|--------------------------------------------------------------------------------------------|
| FILE NO: | 10/5/18 |
| ATTACHMENTS: | 1. Community Grants Program Policy 2. Section 356 Community Grants Policy 2019 |
| RESPONSIBLE OFFICER: | Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation |
| AUTHOR: | Whitney Hainey - Coordinator Community & Recreation Planning |
| 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 Community Grants Program aims to provide financial support to community organisations, groups and individuals to improve social and community outcomes in the Maitland Local Government Area. A review of the Section 356 Community Grants Policy was completed by the Community and Recreation Planning team within City Services. As a result, a revised policy has been developed, which has been informed by key stakeholder consultation, extensive research regarding our existing documentation and processes alongside a comparison with other Council's documentation and processes.

Changes proposed include a name change, clarity around the use of discretionary funds to demonstrate their use as supplementary funding where allocated funding is exhausted, and the addition of sections pertaining to eligibility, assessment, appeals and definitions.

OFFICER'S RECOMMENDATION

THAT

- Council approves the revised Community Grants Program Policy as shown as Attachment 1**

REPORT

Council policies are strategic documents which formally express Council's position on a particular issue. Policies are designed to guide the organisation's decision-making, and are made publicly available on Council's website. Policies are not intended to cover operational matters, which are more appropriately documented by way of internal protocols and procedures.

Council's Section 356 Community Grants Program was due for a regular review, which has now been completed. The review involved revision of existing documentation and processes, a review of other Council's existing documentation and processes and key stakeholder consultation with previous applicants and assessors (both Maitland Sport and

SECTION 356 COMMUNITY GRANTS POLICY REVIEW (Cont.)

Recreation Advisory Board and the Section 356 Assessment panel). The key feedback identified through consultation included:

- Increased transparency
- Improved access to grants
- Improved application process
- Delivering key benefits to the community

As a result of this feedback, and revision of documentation and processes, the following changes to the policy, as shown in attachment 1, were implemented:

- Name change from *Section 356 Community Grants Program Policy* to *Community Grants Program Policy*
- Improved layout and readability of policy with clearly defined sections
- General eligibility criteria, assessment panel, governance, funding agreement, appeals process and definitions now outlined in the policy
- Clarification as to how discretionary funds are utilised
- Increased frequency of annual community grants to occur bi-annually
- Revised naming of the grants programs categories on page four of the policy
- Revised panel structure to maintain existing two Councillors and a mayoral representative with the addition of two independent community service sector representatives, comprising an assessment panel of five voting members
- Revision to assessment process, with all streams of the grants program now being assessed by the Community Grants Assessment Panel.

In addition to the above outlined changes, as endorsed by Council on 26 March 2024, the budget relating to the Vibrant City Sponsorship Program Policy (\$30,000.00) has been incorporated into the Community Grants Program Policy. After a review of the applications that have previously received funding under the original Sponsorship Program, it was determined that a high proportion of these applicants would be eligible to seek funding through the current grants categories and as such, the \$30,000.00 will be equally divided between the *Community Projects Grants Program* and the *Community Celebrations Grants Program*. Additionally, as outlined in the 26 March 2024 Council report, businesses can continue to seek sponsorship from Council under the Sponsorship Policy, with agreed funding coming from departmental operating budgets.

CONSULTATION

Consultation was undertaken to inform the revision of the Community Grants Policy. Previous applicants for the Section 356 Community Grants program, across all categories, from the last five years were given the opportunity to complete a survey to provide feedback on their experience in the grants program over a four week period. A total of twenty one (21) contributions were received.

Additionally the assessors of the grant programs were provided with an opportunity to provide feedback on their experience in assessing grants. The Maitland Sport and Recreation Advisory Board, comprised of ten (10) members, who assess applications virtually, were provided with a survey, which received five contributions. The 356 Grant

SECTION 356 COMMUNITY GRANTS POLICY REVIEW (Cont.)

Assessment Panel, comprised of Councillor Halliday, Councillor Hackney and Councillor Flannery, who convene in person, were given the opportunity to provide feedback at a focus group session held on the 20 March 2024. An additional session was convened on the 30 April 2024 where further feedback was provided by the 356 Grant Assessment Panel. Further email correspondence was received from Councillor Halliday on Tuesday 21 May 2024 and the proposed changes have been incorporated within the Policy and Guidelines.

CONCLUSION

A comprehensive review of the Section 356 Community Grants Policy has been undertaken through revision of documentation and processes as well as key stakeholder consultation. The changes proposed to this policy reflect process improvements, improved transparency and clarity around the policy for the community.

FINANCIAL IMPLICATIONS

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

| Community Grants Program Funding Allocation | Budget 24/25 FY |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Original Grant Funding Allocation from Operational Budget | \$150,000.00 |
| Additional Grant Funding Allocation from redirected funds from Operational Budget for Vibrant City Sponsorship Program | \$30,000.00 |
| Total Budget Available | \$180,000.00 |
| Distribution of Grant Funding Allocation | |
| Bi-annual Community Grants (72%) <ul style="list-style-type: none"> - Community Projects Grants Program (60%) - Community Celebrations Grants Program (12%) <ul style="list-style-type: none"> o Commemorative Days and Weeks (6%) o Recognised Days and Weeks (6%) | \$129,600.00 |
| Year Round Grants Program (25%) <ul style="list-style-type: none"> - Individual Development Grants Program | \$45,000.00 |
| Discretionary Fund (3%) | \$5,400.00 |

SECTION 356 COMMUNITY GRANTS POLICY REVIEW (Cont.)

RISK IMPLICATIONS

| Risk | Risk rating | Proposed treatment | Proposed risk rating | Resourcing – within or additional |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------|-----------------------------|------------------------------------------|
| There is a risk of lack of transparency regarding the use of discretionary funds which may lead to a lack of community confidence in management of funds by Council Officers. | Low | Adoption of revised policy | Low | Within existing resources |
| There is a risk of reputational relating to the use of allocation and distribution of overall funding which may lead to a lack of community confidence in management of funds by Council Officers. | Medium | Adoption of revised policy | Low | Within existing resources |
| There is a risk of applicant confusion regarding the assessment of Commemorative Days which may lead to lack of confidence in Council procedure. | Medium | Adoption of revised policy | Low | Within existing resources |

SECTION 356 COMMUNITY GRANTS POLICY REVIEW (Cont.)

POLICY IMPLICATIONS

This matter relates to the revision of the Section 356 Community Grants Policy.

STATUTORY IMPLICATIONS

This policy is informed by Section 356 and Section 377 of the Local Government Act 1993.

Policy and Finance Committee

SECTION 356 COMMUNITY GRANTS POLICY REVIEW

Community Grants Program Policy

Meeting Date: 28 May 2024

Attachment No: 1

Number of Pages: 6

Policy and Finance Committee

SECTION 356 COMMUNITY GRANTS POLICY REVIEW

Section 356 Community Grants Policy 2019

Meeting Date: 28 May 2024

Attachment No: 2

Number of Pages: 4

12 NOTICES OF MOTION/RESCISSION

12.1 RECLASSIFICATION OF METFORD ROAD TO A STATE ROAD

NOTICE OF MOTION SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/4
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 28 May 2024:

THAT

- 1. Council notes that on 10 February 2021 Maitland MP Jenny Aitchison tabled a motion in the NSW Parliament calling for the State Government to urgently consider reclassification of Metford Road to a state road.**
- 2. Since Ms Aitchison's motion in February 2021, Ms Aitchison has become the Minister for Regional Roads and Transport.**
- 3. Council writes to Ms Aitchison as Minister for Regional Roads and Transport and the NSW Premier requesting that Metford Road be urgently reclassified as a state road as per Ms Aitchison's original motion in 2021.**

13 QUESTIONS WITH NOTICE

14 URGENT BUSINESS

15 COMMITTEE OF THE WHOLE

15.1 CONSIDERATION OF TENDERS - REMEDIATION OF MAITLAND PARK BOWLING CLUB SITE

| | |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| FILE NO: | 2024/137/2366 |
| ATTACHMENTS: | Nil |
| RESPONSIBLE OFFICER: | Jason Linnane - Director City Services Todd Stanley - Manager Building Projects and Services |
| AUTHOR: | Geoff Wilton - Operations Manager Building Services Isaac Conway - Project Manager - Delivery |
| 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 |

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

Maitland City Council's City Services Team has undertaken an open tender process to identify a suitable contractor to undertake remediation works at the former Maitland Park Bowling Club Site. The endorsed scope of works is for the excavation and disposal of contaminated material within the approximate area of the building footprint. Works will be deemed completed following the provision of a clearance certificate stating that all known contaminated material has been removed from the site.

An Open Tender process was conducted on Tender link (tender reference: MAITLD-1092114). Eight (8) suppliers made submissions with all being in accordance with the tender requirements. Tender submissions were assessed by a three (3) person tender evaluation panel. Following evaluation and consensus by the tender evaluation panel two preferred suppliers were identified. Additional clarification was sought from the two preferred suppliers regarding their submissions. Following the receipt of this additional information a single preferred supplier has been identified.

This report provides details of the tender assessment process and a recommendation to award a contract. The tenders are being reported to the Committee of the Whole as they contain confidential commercial information.

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

17 CLOSURE