

**ORDINARY MEETING**

**MINUTES**

**28 MAY 2024**

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## TABLE OF CONTENTS

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ITEM	SUBJECT	PAGE NO
<b>1</b>	<b>INVOCATION.....</b>	<b>1</b>
<b>2</b>	<b>ACKNOWLEDGEMENT OF COUNTRY.....</b>	<b>1</b>
<b>3</b>	<b>APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE .....</b>	<b>1</b>
<b>4</b>	<b>DECLARATIONS OF INTEREST .....</b>	<b>2</b>
<b>5</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>2</b>
<b>6</b>	<b>BUSINESS ARISING FROM MINUTES .....</b>	<b>2</b>
<b>7</b>	<b>WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS.....</b>	<b>2</b>
<b>8</b>	<b>PUBLIC ACCESS .....</b>	<b>2</b>
<b>9</b>	<b>MAYORAL MINUTE.....</b>	<b>3</b>
9.1	70TH COMMEMORATION OF THE 1955 MAITLAND FLOOD .....	3
<b>10</b>	<b>OFFICERS REPORTS .....</b>	<b>4</b>
10.1	LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL DETERMINATION 2024.....	4
10.2	MAITLAND FLOODPLAIN RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE .....	6
10.3	ON THE MOVE - PROGRESSING THE DELIVERY PROGRAM JANUARY - MARCH 2024 .....	8
<b>11</b>	<b>POLICY AND FINANCE COMMITTEE .....</b>	<b>10</b>
11.1	STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024.....	10
11.2	THIRD QUARTER BUDGET REVIEW 2023/24 - PERIOD ENDED 31 MARCH 2024 .....	12
11.3	FINANCIAL RESERVES POLICY .....	14
11.4	DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY .....	16
11.5	COPYRIGHT POLICY REVIEW.....	18

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11.6	RESCINDING OF FEES AND CHARGES POLICY - SPORTSGROUNDS, FACILITIES & RESERVES.....	20
11.7	REVIEW OF COUNCIL'S ALCOHOL POLICY - SPORTSGROUNDS, FACILITIES & RESERVES.....	22
11.8	SECTION 356 COMMUNITY GRANTS POLICY REVIEW .....	24
<b>12</b>	<b>NOTICES OF MOTION/RESCISSION .....</b>	<b>28</b>
12.1	RECLASSIFICATION OF METFORD ROAD TO A STATE ROAD.....	28
<b>13</b>	<b>QUESTIONS WITH NOTICE .....</b>	<b>30</b>
<b>14</b>	<b>URGENT BUSINESS.....</b>	<b>30</b>
<b>15</b>	<b>COMMITTEE OF THE WHOLE .....</b>	<b>32</b>
15.1	CONSIDERATION OF TENDERS - REMEDIATION OF MAITLAND PARK BOWLING CLUB SITE .....	32
<b>16</b>	<b>COMMITTEE OF THE WHOLE RECOMMENDATIONS .....</b>	<b>34</b>
<b>17</b>	<b>CLOSURE.....</b>	<b>35</b>

## **PRESENT**

Cr Kristy Flannery  
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**

### **COUNCIL RESOLUTION**

#### **THAT**

- 1. The apologies received for the unavoidable absence of Cr L Baker, Cr S Fisher and Cr R Aitchison be accepted and leave of absence granted.**
- 2. Leave of absence be granted to Cr K Ranadive for one meeting scheduled for 11 June 2024.**
- 3. The apology received for Cr S Halliday arriving late to the meeting be granted with the minutes to reflect time of arrival.**

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

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	

Cr B Whiting  
Cr M Yarrington

#### **4 DECLARATIONS OF INTEREST**

Nil

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

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 14 May 2024 be confirmed.

**Moved Cr M Griffin, Seconded Cr K Flannery**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

#### **6 BUSINESS ARISING FROM MINUTES**

Nil

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

Nil

#### **8 PUBLIC ACCESS**

Nil

## 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

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#### 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.

#### COUNCIL RESOLUTION

THAT

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

Moved Mayor P Penfold

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## 10 OFFICERS REPORTS

### 10.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL DETERMINATION 2024

<b>FILE NO:</b>	35/5/1
<b>ATTACHMENTS:</b>	1. Local Government Remuneration Tribunal Annual Determination 2024
<b>RESPONSIBLE OFFICER:</b>	Linda McLaren - Office Manager Jeff Smith - General Manager
<b>AUTHOR:</b>	Kelsie Wilson - Team Leader OGM
<b>MAITLAND +10</b>	Outcome 15 To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	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.

**PROCEEDINGS IN BRIEF**

A motion was moved.  
(Cr P Garnham/ Cr K Flannery)

THAT:

1. Council retain the current 2023/24 financial year Mayor and Councillor fees as set for the 2024/25 financial year.
2. In accordance with s249(5) of the NSW Local Government Act, Council determine an ongoing fee of \$5,000 per annum for the position of Deputy Mayor, effective 2023/24, to be deducted from the Mayoral Fee.

The motion when put to Council was declared carried.

**COUNCIL RESOLUTION**

**THAT**

- 1. Council retain the current 2023/24 financial year Mayor and Councillor fees as set for the 2024/25 financial year.**
- 2. In accordance with s249(5) of the NSW Local Government Act, Council determine an ongoing fee of \$5,000 per annum for the position of Deputy Mayor, effective 2023/24, to be deducted from the Mayoral Fee.**

**Moved Cr P Garnham, Seconded Cr K Flannery**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery Cr P Garnham Cr M Griffin Cr B Hackney Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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## 10.2 MAITLAND FLOODPLAIN RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE

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

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### 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

### COUNCIL RESOLUTION

#### 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

Moved Cr K Flannery, Seconded Cr M Griffin

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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

<b>FILE NO:</b>	35/33/18/12
<b>ATTACHMENTS:</b>	1. On the Move
<b>RESPONSIBLE OFFICER:</b>	Tiffany Allen - Executive Manager People and Performance Kelly Arnott - Manager Corporate Planning and Performance
<b>AUTHOR:</b>	Jenna Parkinson - Corporate Strategy Lead Kate Higgins - Corporate Planning & Reporting Officer Rachna Sangwan - Corporate Performance Lead
<b>MAITLAND +10</b>	Outcome 15. To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	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

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#### 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.

**COUNCIL RESOLUTION****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.

**Moved Mayor P Penfold, Seconded Cr B Hackney**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

Council moved into Policy & Finance Committee at 5.42pm

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

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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## 11 POLICY AND FINANCE COMMITTEE

### 11.1 STATEMENT OF INVESTMENTS AS AT 30 APRIL 2024

<b>FILE NO:</b>	<b>82/2</b>
<b>ATTACHMENTS:</b>	<b>1. Council's Holdings as at 30 April 2024</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Mary O'Leary - Executive Manager Finance Annette Peel - Manager Finance &amp; Procurement</b>
<b>AUTHOR:</b>	<b>Narelle Jeffries - Financial Accountant</b>
<b>MAITLAND +10</b>	<b>Outcome 15 To have an effective and efficient Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>15.1.2 Ensure Council is financially sustainable and meets required levels of performance</b>

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#### 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.**

**COMMITTEE RECOMMENDATION**

**THAT**

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

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

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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

<b>FILE NO:</b>	2
<b>ATTACHMENTS:</b>	1. Third Quarter Budget Review 2023/24 - 31 March 2024
<b>RESPONSIBLE OFFICER:</b>	Mary O'Leary - Executive Manager Finance
<b>AUTHOR:</b>	Michael Burfitt - Chief Financial Officer Tracey Tighe - Senior Corporate Accountant
<b>MAITLAND +10</b>	Outcome 15 To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

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### 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.

**COMMITTEE RECOMMENDATION**

**THAT**

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

**Moved Cr M Griffin, Seconded Cr K Flannery**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	



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### 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

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#### 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

1. Council adopt the Financial Reserves Policy 2024

#### COMMITTEE RECOMMENDATION

THAT

1. Council adopt the Financial Reserves Policy 2024

Moved Mayor P Penfold, Seconded Cr K Flannery

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## 11.4 DESIGNATED PERSONS - DUTIES OF DISCLOSURE POLICY

<b>FILE NO:</b>	35/1/2 AND 35/1/3
<b>ATTACHMENTS:</b>	1. Designated Persons - Duties of Disclosure Policy
<b>RESPONSIBLE OFFICER:</b>	Jeff Smith - General Manager Kelsie Wilson - Team Leader OGM
<b>AUTHOR:</b>	Tina Nay - Senior Governance Officer
<b>MAITLAND +10</b>	Outcome 15 To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	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.**

### COMMITTEE RECOMMENDATION

**THAT**

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

**Moved Cr M Griffin, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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## 11.5 COPYRIGHT POLICY REVIEW

<b>FILE NO:</b>	110/15
<b>ATTACHMENTS:</b>	1. Copyright Policy V1.1 2024
<b>RESPONSIBLE OFFICER:</b>	Mark Margin - Executive Manager Customer & Digital Services
<b>AUTHOR:</b>	Ned Scopulovic - Manager Enterprise Architecture
<b>MAITLAND +10</b>	Outcome 15 To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

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### 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

### COMMITTEE RECOMMENDATION

THAT

1. Council adopts the Copyright Policy V1.1 2024

Moved Mayor P Penfold, Seconded Cr B Hackney

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

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

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

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### 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

**COMMITTEE RECOMMENDATION**

**THAT**

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

**Moved Cr B Hackney, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	



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

<b>FILE NO:</b>	129/1
<b>ATTACHMENTS:</b>	1. Alcohol Policy - Sportsgrounds, Venues and Reserves 2024 2. Alcohol Policy - Sportsgrounds, Facilities and Reserves 2012
<b>RESPONSIBLE OFFICER:</b>	Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation
<b>AUTHOR:</b>	Samantha Thomas - Team Leader Community & Sport Liaison
<b>MAITLAND +10</b>	Outcome 1 To stay friendly, happy and proud as our city grows
<b>COUNCIL OBJECTIVE:</b>	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

**COMMITTEE 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**

**Moved Cr P Garnham, Seconded Cr K Ranadive**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

<b>For:</b>	<b>Cr K Flannery</b>	<b>Against:</b>
	<b>Cr P Garnham</b>	
	<b>Cr M Griffin</b>	
	<b>Cr B Hackney</b>	
	<b>Cr B Mitchell</b>	
	<b>Mayor P Penfold</b>	
	<b>Cr K Ranadive</b>	
	<b>Cr B Whiting</b>	
	<b>Cr M Yarrington</b>	

## 11.8 SECTION 356 COMMUNITY GRANTS POLICY REVIEW

<b>FILE NO:</b>	10/5/18
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Community Grants Program Policy</li> <li>2. Section 356 Community Grants Policy 2019</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation
<b>AUTHOR:</b>	Whitney Hailey - Coordinator Community & Recreation Planning
<b>MAITLAND +10</b>	Outcome 15 To have an effective and efficient Council
<b>COUNCIL OBJECTIVE:</b>	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

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

### COMMITTEE RECOMMENDATION

#### THAT

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

Moved Cr K Flannery, Seconded Cr B Hackney

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

Council Resumed into Ordinary Council at 5.46pm

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

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	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 Statement of Investments as at 30 April 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.

#### **11.2 Third Quarter Budget Review 2023/24 - Period Ended 31 March 2024**

THAT

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

#### **11.3 Financial Reserves Policy**

THAT

1. Council adopt the Financial Reserves Policy 2024

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

THAT

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

#### **11.5 Copyright Policy Review**

THAT

1. Council adopts the Copyright Policy V1.1 2024

#### **11.6 Rescinding of Fees and Charges Policy - Sportsgrounds, Facilities & Reserves**

THAT

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

#### **11.7 Review of Council's Alcohol Policy - Sportsgrounds, Facilities & Reserves**

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

## 11.8 Section 356 Community Grants Policy Review

THAT

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

### **COUNCIL RESOLUTION**

**THAT**

**The Committee's recommendations be adopted.**

**Moved Cr M Yarrington, Seconded Cr P Garnham**

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	

## **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

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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 along with other prior proposed roads be urgently reclassified as a state road as per Ms Aitchison's original motion in 2021.

**COUNCIL RESOLUTION****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 along with other prior proposed roads be urgently reclassified as a state road as per Ms Aitchison's original motion in 2021.**

Moved Cr M Griffin, Seconded Cr M Yarrington

**CARRIED**

The division resulted in 9 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	Cr P Garnham	
	Cr M Griffin	
	Cr B Hackney	
	Cr B Mitchell	
	Mayor P Penfold	
	Cr K Ranadive	
	Cr B Whiting	
	Cr M Yarrington	



### **13 QUESTIONS WITH NOTICE**

Nil

### **14 URGENT BUSINESS**

Nil

Cr S Halliday arrived at the Chambers at 5.53pm.

Council moved into Committee of the Whole at 5.53 pm.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

The division resulted in 10 for and 0 against, as follows:

<b>For:</b>	Cr K Flannery	<b>Against:</b>
	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 5.54 pm.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

The division resulted in 10 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	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 CONSIDERATION OF TENDERS - REMEDIATION OF MAITLAND PARK BOWLING CLUB SITE

<b>FILE NO:</b>	2024/137/2366
<b>ATTACHMENTS:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Jason Linnane - Director City Services Todd Stanley - Manager Building Projects and Services
<b>AUTHOR:</b>	Geoff Wilton - Operations Manager Building Services Isaac Conway - Project Manager - Delivery
<b>MAITLAND +10</b>	Outcome 4 To be healthy and active with access to local services and facilities
<b>COUNCIL OBJECTIVE:</b>	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.*

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

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

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

**COMMITTEE RECOMMENDATION****THAT**

- 1. Council accepts the tender submission from Spero Civil Pty Ltd for the amount of \$242,574.40 (ex GST) (assuming 700 tons of material is exported from the site) for the remediation of the former site of Maitland Park Bowling Club.**
- 2. Council delegates to the General Manager authority to redirect general revenue funds up to the total value included in the body of this report to the remediation of the contaminated site in the bowling club without further council approval.**
- 3. Council authorises the General Manager to alter the scope of works should contamination substantially exceed what was identified within the Detailed Site Investigations and in line with Council's Senior Contaminated Land Officers recommendations.**

**Moved Cr P Garnham, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 10 for and 0 against, as follows:

For:	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:
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Council resumed into Ordinary Council at 5.55 pm.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

The division resulted in 10 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	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 Consideration of Tenders – Remediation of Maitland Park Bowling Club Site**

THAT

1. Council accepts the tender submission from Spero Civil Pty Ltd for the amount of \$242,574.40 (ex GST) (assuming 700 tons of material is exported from the site) for the remediation of the former site of Maitland Park Bowling Club.
2. Council delegates to the General Manager authority to redirect general revenue funds up to the total value included in the body of this report to the remediation of the contaminated site in the bowling club without further council approval.
3. Council authorises the General Manager to alter the scope of works should contamination substantially exceed what was identified within the Detailed Site Investigations and in line with Council's Senior Contaminated Land Officers recommendations.

**COUNCIL RESOLUTION**

**THAT**

**The Committee's recommendations be adopted.**

**Moved Cr B Hackney, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 10 for and 0 against, as follows:

For:	Cr K Flannery	Against:
	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 6.00 pm.**

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**Chairperson**