



ORDINARY MEETING

MINUTES

23 JULY 2024



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PRESENT

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

1 INVOCATION

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

2 ACKNOWLEDGEMENT OF COUNTRY

The General Manager read the Acknowledgement of Country.

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

COUNCIL RESOLUTION

THAT the apology received for the unavoidable absence of Cr R Aitchison be accepted and leave of absence granted

Moved Cr P Penfold, Seconded Cr P Garnahm

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

4 DECLARATIONS OF INTEREST

Cr S Halliday declared a less than significant pecuniary interest in Item 10.3 - Planning Proposal - Additional Permitted Use "Educational Establishment" 24 Hunter Street Horseshoe Bend as Cr Halliday sits on the Joint Regional Planning Panel and will not participate in discussion or voting on the matter.

Cr B Whiting declared a less than significant pecuniary interest in Item 10.3 - Planning Proposal - Additional Permitted Use "Educational Establishment" 24 Hunter Street Horseshoe Bend as Cr Whiting works at the school and will not participate in discussion or voting on the matter.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 9 July 2024 be confirmed.

Moved Cr M Yarrington, Seconded Cr M Griffin

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

6 BUSINESS ARISING FROM MINUTES

Nil

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

Nil

8 PUBLIC ACCESS

Kendall Harrison representing herself spoke **for** Item 9.2 - Turtle Conservation.

Michele Keith representing herself spoke **for** Item 9.2 - Turtle Conservation.

Sandra Earle representing the Maitland Cultural Club Inc. spoke **for** Item 10.1 – Open Museums Open Minds

9 MAYORAL MINUTE

9.1 TURTLE CONSERVATION

FILE NO: 35/44
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager
AUTHOR: Philip Penfold - Mayor

MAYORAL MINUTE

THAT:

- 1. Council investigate and report back as soon as possible with a view to act on a turtle conservation site at Walka Water Works, focusing on:**
 - **Protecting turtle nesting sites around Walka lagoon, prioritising the miniature railway track**
 - **Management of predation of turtle nests by foxes in a manner suitable for the location**
 - **Safe turtle passage through the spillway at Walka lagoon, enabling connection with other turtle habitat in the floodplain.**
- 2. Council confirms support for the establishment of a Landcare site at Walka Water Works subject to the availability of funding and Human Resources**

BACKGROUND

Freshwater turtles are an important native species to the Maitland community, being regularly seen in and around local wetland and lagoon environments such as Tenambit Wetlands and Walka lagoon.

Residents are concerned about declining turtle populations, including through predation of nests by foxes and turtle injury and death in man-made structures like on roads and in dam spillways, as witnessed in the July 2022 floods.

Local volunteers are taking action through the Australian 1 million Turtles Community Conservation Program. Maitland's first 1 million Turtles conservation site has been established at Earthcare Park, where local Landcarers are undertaking nest predation surveys and nest protection activities. Volunteers are also working with Western Sydney University to establish a turtle nesting island in a wetland pond at Earthcare Park to provide predator free nesting sites.

Local community members have identified Walka Water Works as another important turtle nesting location which would benefit from a turtle conservation initiative supported by an ongoing Landcare program.

Further investigation of a turtle conservation and Landcare initiative at Walka Water Works is in alignment with the following adopted targets of the Environmental Sustainability Strategy 2030:

1. 1.1 Deliver functional biodiversity corridors
2. 1.2 Protect important natural spaces
3. 1.4 Increase community participation in environmental events and volunteering

COUNCIL RESOLUTION

THAT

1. Council investigate and report back as soon as possible with a view to act on a turtle conservation site at Walka Water Works, focusing on:
 - Protecting turtle nesting sites around Walka lagoon, prioritising the miniature railway track
 - Management of predation of turtle nests by foxes in a manner suitable for the location
 - Safe turtle passage through the spillway at Walka lagoon, enabling connection with other turtle habitat in the floodplain.
2. Council confirms support for the establishment of a Landcare site at Walka Water Works subject to the availability of funding and Human Resources

Moved Mayor P Penfold

CARRIED

The division resulted in 12 for and 0 against, as follows:

For:	Cr L Baker Cr S Fisher Cr K Flannery Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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9.2 NAMINGS AT NORM CHAPMAL OVAL

FILE NO:	35/44
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jeff Smith - General Manager
AUTHOR:	Philip Penfold - Mayor

BACKGROUND

In recent weeks, mother of 3, Kylie Parsons, passed away at just 46 years of age, after a short illness.

Kylie was the driving force behind the Rutherford Football Club's success, administering the club's operations, advocating for facility upgrades, and supporting footballers and their family's needs, for approximately 20 years.

Kylie, along with husband Scott, are recognised life members of the Rutherford Football Club having worked tirelessly for the club. They held numerous volunteer positions such as Canteen Supervisor, Coach, Fundraising Secretary, Senior Vice President, Treasurer, President and general committee member.

Kylie is, and will remain, sorely missed by the wider football community, and it's felt that this naming is a fitting recognition.

RECOMMENDATION

THAT

- 1. Council acknowledge Kylie Parsons' long service to Rutherford Football community by naming the pathway encompassing the Norm Chapman Oval as "Parsons Pathway", and erect signage acknowledging such.**
- 2. In recognition of Kylie and Scott Parsons' long service to the club, Council support the Rutherford Football Club's request to name the Norm Chapman Oval pavilion "Parsons Pavilion" and affix a plaque to the building acknowledging such.**

COUNCIL RESOLUTION

THAT

- 1. Council acknowledge Kylie Parsons' long service to Rutherford Football community by naming the pathway encompassing the Norm Chapman Oval as "Parsons Pathway", and erect signage acknowledging such.**
- 2. In recognition of Kylie and Scott Parsons' long service to the club, Council support the Rutherford Football Club's request to name the Norm Chapman Oval pavilion "Parsons Pavilion" and affix a plaque to the building acknowledging such.**

Moved Mayor P Penfold, Seconded Cr P Garnham

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

10 OFFICERS REPORTS

10.1 OPEN MUSEUMS, OPEN MINDS (OMOM)

FILE NO:	11/17
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jason Linnane - Director City Services
AUTHOR:	Todd Stanley - Manager Building Projects and Services Jo Smith - Manager Libraries & Learning
MAITLAND +10	Outcome 9 To show off our city
COUNCIL OBJECTIVE:	9.1.2 Progress the implementation of the Maitland Destination Management Plan

EXECUTIVE SUMMARY

The purpose of this report is to update Councils' previous resolutions in relation to a collection storehouse and exhibition spaces for Council and community collections.

OFFICER'S RECOMMENDATION

THAT

1. Council note the update provided within the report and extend a vote of thanks to the community representatives on the OMOM Working Party;
2. Council develops a business plan (including but not limited to need substantiation, strategic fit, community/economic benefit, capital and operating incomes/costs, risk assessment) and operating models for:
 - a) Collection storehouse facility and
 - b) Heritage exhibition and operating facility at the Visitor Information Centre and
 - c) Ensures thorough consultation is undertaken with all stakeholders as part of process to develop the business plans and operating models.
3. Council develops a funding strategy that includes pursuit of grants and sponsorship for potential a) collection storehouse facility and b) heritage exhibition and operating facility.
4. Council commence work and report to council on process and resourcing needs to develop a community and cultural strategy for the local government area that addresses issues such as but not limited to:
 - a) Enhancing public access to community and cultural facilities and services, collections, and events
 - b) Community and cultural infrastructure that meets community and economic aspirations and
 - c) Estimated financial implications and funding strategies.

COUNCIL RESOLUTION**THAT**

1. Council note the update provided within the report and extend a vote of thanks to the community representatives on the OMOM Working Party;
2. Council develops a business plan (including but not limited to need substantiation, strategic fit, community/economic benefit, capital and operating incomes/costs, risk assessment) and operating models for:
 - a) Collection storehouse facility and
 - b) Heritage exhibition and operating facility at the Visitor Information Centre and
 - c) Ensures thorough consultation is undertaken with all stakeholders as part of process to develop the business plans and operating models.
3. Council develops a funding strategy that includes pursuit of grants and sponsorship for potential a) collection storehouse facility and b) heritage exhibition and operating facility.
4. Council commence work and report to council on process and resourcing needs to develop a community and cultural strategy for the local government area that addresses issues such as but not limited to:
 - a) Enhancing public access to community and cultural facilities and services, collections, and events
 - b) Community and cultural infrastructure that meets community and economic aspirations and
 - c) Estimated financial implications and funding strategies.

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

10.2 VOLUNTARY PLANNING AGREEMENT OFFER - UNIVERSAL PROPERTY GROUP PTY LTD - ROAD WIDENING OWLPEN LANE FARLEY

FILE NO:	103/41/71
ATTACHMENTS:	1. Letter of Offer
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Brett Gardiner - Manager Strategic Planning Adam Ovenden - Coordinator City Planning Anne Humphries - Principal Development Contributions Planner
AUTHOR:	Isaac Milajew - Development Contributions Officer
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.1.1 Better align land use and transport planning to move toward the region's target of 15 minute neighbourhoods with access to housing, jobs, services and transport

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of a Letter of Offer from Universal Property Group Pty Ltd and to seek delegations to Council staff to enter into a Voluntary Planning Agreement for the dedication of road widening works at 41 Owlpen Lane, Farley. The draft VPA is linked to DA 22/1133 for the subdivision of land at 11 Owlpen Lane, Farley.

The DA has been the subject of a deemed refusal appeal in the Land and Environment Court resulting in final orders being issued subject to a range of deferred commencement conditions. This includes a requirement to enter into a Voluntary Planning Agreement requiring the Developer to acquire land and undertake road widening works across the frontage of 41 Owlpen Lane.

This report seeks in principle support from Council for the acceptance of the proposed offer and the granting of delegated authority to Council staff to place the draft Agreement on public exhibition once prepared.

OFFICER'S RECOMMENDATION

THAT

1. Council notes and accepts in principle the offer to enter into the draft Voluntary Planning Agreement as detailed in this report.
2. Council delegates approval for the exhibition of the Voluntary Planning Agreement to the General Manager.
3. Should no submissions objecting to the draft Voluntary Planning Agreement be received during the exhibition period, Council delegates authority to the Manager Strategic Planning to finalise and execute the agreement; and

4. Should any submissions objecting to the draft Voluntary Planning Agreement be received during the exhibition period, a further report be presented to Council for consideration.

COUNCIL RESOLUTION

THAT

1. Council notes and accepts in principle the offer to enter into the draft Voluntary Planning Agreement as detailed in this report.
2. Council delegates approval for the exhibition of the Voluntary Planning Agreement to the General Manager.
3. Should no submissions objecting to the draft Voluntary Planning Agreement be received during the exhibition period, Council delegates authority to the Manager Strategic Planning to finalise and execute the agreement; and
4. Should any submissions objecting to the draft Voluntary Planning Agreement be received during the exhibition period, a further report be presented to Council for consideration.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

10.3 PLANNING PROPOSAL - ADDITIONAL PERMITTED USE "EDUCATIONAL ESTABLISHMENT" 24 HUNTER STREET HORSESHOE BEND

FILE NO:	RZ 23/001
ATTACHMENTS:	1. Planning Proposal 2. Gateway Determination 3. Submission 1 NSW SES Response 4. Submission 2 EPA Response 5. Submission 3 Heritage NSW Response
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Brett Gardiner - Manager Strategic Planning Adam Ovenden - Coordinator City Planning
AUTHOR:	Mark Roser - Strategic Planner
MAITLAND +10	Outcome 8 To have Central Maitland as the vibrant heart of our city
COUNCIL OBJECTIVE:	8.1.3 Manage the East Central Maitland precinct for its civic, cultural and sporting opportunities

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the outcomes of exhibition of the Planning Proposal to permit an Additional Permitted Use of an Educational Establishment within the Maitland Local Environmental Plan 2011 over 24 Hunter Street, Horseshoe Bend.

*This report seeks Council's endorsement of the Planning Proposal in **Attachment 1**, and for Council to Exercise Plan Making authority to make the plan under Section 3.36 of the Environmental Planning and Assessment Act 1979.*

The Planning Proposal and supporting site studies were placed on public exhibition from 24 April to 23 May 2024. Three (3) submissions were received during the exhibition period from state agencies.

Cr S Halliday and Cr B Whiting left the Chambers at 6.03 pm and did not participate in discussion or voting on the following matter.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the Planning Proposal in Attachment 1, and
2. Council exercise Plan Making Authority to make the Plan under 3.36 of the *Environmental Planning & Assessment Act, 1979*.

COUNCIL RESOLUTION

THAT

1. Council endorses the Planning Proposal in Attachment 1, and
2. Council exercise Plan Making Authority to make the Plan under 3.36 of the *Environmental Planning & Assessment Act, 1979*.

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

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

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

Cr S Halliday and Cr B Whiting returned to the Chambers at 6.04 pm.

10.4 APPROVAL OF WORKS IN KIND AGREEMENT - FARLEY OFFROAD TRAIL, ROAD & EARTH WORKS - RAVENSFIELD DOWNS PTY LTD & DBH PROPERTY PTY LTD

FILE NO:	103/41/68
ATTACHMENTS:	1. Draft Works in Kind Agreement (Under Separate Cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Brett Gardiner - Manager Strategic Planning Adam Ovenden - Coordinator City Planning Anne Humphries - Principal Development Contributions Planner
AUTHOR:	Isaac Milajew - Development Contributions Officer
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.1 Develop and promote Council's long term program for road and related infrastructure construction and maintenance

EXECUTIVE SUMMARY

Council is in receipt of an application from Ravensfield Downs Pty Ltd and DBH Property Pty Ltd to enter into a Works in Kind Agreement for the delivery of road and earthworks associated with a local playground and part of shared pathway which are included as line items in the Farley Development Contributions Plan.

The draft Agreement has been prepared in consultation with the applicants and is now presented with a recommendation for approval.

OFFICER'S RECOMMENDATION

THAT

1. The draft Works in Kind Agreement as presented in Attachment 1 be approved.

COUNCIL RESOLUTION

THAT

1. The draft Works in Kind Agreement as presented in Attachment 1 be approved.

Moved Cr P Garnham, Seconded Cr B Whiting

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

Council moved into Policy & Finance Committee at 6.09pm

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11 POLICY AND FINANCE COMMITTEE

11.1 MEDIA POLICY

FILE NO:	111/4
ATTACHMENTS:	1. Media Policy 2019 2. Draft Media Policy 2024
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Jade Griffin - Manager Customer, Engagement & Marketing
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.3.2 Increase understanding of Council activities through accessible and clear messaging and information

EXECUTIVE SUMMARY

The Media Policy 2019 has been reviewed in accordance with Council's policy review. The updated Media Policy 2024 is aligned to the Office of Local Government Model Media Policy 2022 with some amendments. The draft Media Policy 2024 is being presented to Council for adoption.

OFFICER'S RECOMMENDATION

THAT

1. Council rescind the Media Policy 2019 (Attachment 1)
2. Council adopt the Media Policy 2024 (Attachment 2)

COMMITTEE RECOMMENDATION

THAT

1. Council rescind the Media Policy 2019 (Attachment 1)
2. Council adopt the Media Policy 2024 (Attachment 2)

Moved Cr S Halliday, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.2 ASSET REVALUATION POLICY

FILE NO:	3
ATTACHMENTS:	1. Asset Revaluation Policy
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 Asset Revaluation Policy provides guidance for valuing physical non-current assets for the purpose of completing the Council's annual statutory financial statements.

The Policy applies to the accounting treatment for non-current physical assets being infrastructure, property plant and equipment (IPPE), and establishes a formal policy for the current process undertaken at Council.

OFFICER'S RECOMMENDATION

THAT

- 1. Council approves the Asset Revaluation Policy**

COMMITTEE RECOMMENDATION

THAT

- 1. Council approves the Asset Revaluation Policy**

Moved Cr K Flannery, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.3 SOCIAL MEDIA POLICY

FILE NO:	111/13
ATTACHMENTS:	1. Social Media Policy 2014 2. Draft Social Media Policy 2024
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Jade Griffin - Manager Customer, Engagement & Marketing
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.3.2 Increase understanding of Council activities through accessible and clear messaging and information

EXECUTIVE SUMMARY

The Social Media Policy 2014 has been reviewed in accordance with Council's policy review, and is based on the Office of Local Government Model Social Media Policy 2022 with some amendments.

At the 12 July 2022 meeting, item 14.1 - Required Re-adoption of Code of Conduct and procedures following local government election resolved that Council's Social Media Policy will be updated to incorporate an administrative framework for Councillor's social media platforms, in line with the best practice model released by the Office of Local Government. This is the revised Social Media Policy 2024 that is being presented to Council for adoption.

OFFICER'S RECOMMENDATION

THAT

1. Council rescind the Social Media Policy 2014 (Attachment 1)
2. Council adopt the Social Media Policy 2024 (Attachment 2)

COMMITTEE RECOMMENDATION

THAT

1. Council rescind the Social Media Policy 2014 (Attachment 1)
2. Council adopt the Social Media Policy 2024 (Attachment 2)

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.4 DRAFT FOOD SAFETY POLICY 2024 AND INSTRUMENT OF APPOINTMENT AS AN ENFORCEMENT AGENCY 2024

FILE NO:	150/1
ATTACHMENTS:	<ol style="list-style-type: none">1. Draft Food Safety Policy 20242. NSW Food Authority Instrument of Appointment for Council 2024
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Cindy Littlewood - Manager Development & Compliance Gemma McMahon - Coordinator Regulatory Compliance
AUTHOR:	Sarah Roberts - Team Leader Compliance
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

In 2008 Council entered into a formal agreement (the Food Regulation Partnership) with the NSW Food Authority to undertake inspections of specific food retail businesses within the Maitland LGA. Since this time, Council has worked closely with the NSW Food Authority to provide consistent and robust food safety regulation for the community.

Maitland City Council's draft Food Safety Policy 2024 incorporates the risk-based inspection program recommended by the NSW Food Authority. This program provides the framework for a consistent approach to regulatory compliance by Council in its role as an enforcement agency under the NSW Food Act. The draft Food Safety Policy is intended to replace the superseded Food Safety Policy adopted in November 2018.

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note the information provided on the revised 2024 Food Regulation Partnership.
2. The draft Food Safety Policy is placed on public exhibition for a period of twenty-eight (28) days.
3. If no submissions are received by the exhibition expiry date, the draft Food Safety Policy is adopted pursuant to section 161 of the Local Government Act 1993.
4. If submissions are received, Council Officers will report back to Council.

COMMITTEE RECOMMENDATION**THAT:**

1. Council receive and note the information provided on the revised 2024 Food Regulation Partnership.
2. The draft Food Safety Policy is placed on public exhibition for a period of twenty-eight (28) days.
3. If no submissions are received by the exhibition expiry date, the draft Food Safety Policy is adopted pursuant to section 161 of the Local Government Act 1993.
4. If submissions are received, Council Officers will report back to Council.

Moved Cr K Flannery, Seconded Cr P Garnham

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.5 STATEMENT OF INVESTMENTS AS AT 30 JUNE 2024

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

EXECUTIVE SUMMARY

Clause 212 of the Local Government (General) Regulation 2021 requires Council to report on its investments.

As at the end of June 2024, Council had investments totalling \$217,395,356 under management.

Council's investment portfolio recorded a marked-to-market return of 5.03% per annum versus the bank bill index benchmark return of 4.34% per annum. The actual investment return for the month of June was \$896,375, a favourable variance of \$1,686 when compared to the new revised monthly budget forecasts of \$894,689.

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 S Halliday, Seconded Cr K Flannery

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.6 DRAFT AMENDMENT TO 2024/25 FEES FOR IMPOUNDING ANIMALS

FILE NO:	35/33/21
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Mary O'Leary - Executive Manager Finance
AUTHOR:	Annette Peel - Manager Finance & Procurement
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

An administrative error resulted in the omission of the Impounding Animals (dogs/cats) fees from the draft 2024/25 Fees and Charges that was publicly exhibited and subsequently adopted by Council at its meeting of 11 June 2024.

The 2024/25 Fees and Charges published schedule currently contains the Impounding Animals (dogs/cats) fees at the 2023/24 amounts previously adopted by Council.

This report recommends public exhibition of the Impounding Animals (dogs/cats) fees from 26 July to 23 August 2024.

OFFICER'S RECOMMENDATION

THAT

1. Council resolves to place the draft amended Impounding Animals (dogs/cats) fees for 2024/25 on public exhibition for at least 28 days prior to final consideration by Council.

COMMITTEE RECOMMENDATION

THAT

1. Council resolves to place the draft amended Impounding Animals (dogs/cats) fees for 2024/25 on public exhibition for at least 28 days prior to final consideration by Council.

Moved Cr M Yarrington, Seconded Cr P Garnham

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

11.7 GRANT APPLICATION UNDER THE DRIVE ELECTRIC NSW EV DESTINATION CHARGING PROGRAM

FILE NO:	65/89
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning
AUTHOR:	Catherine Pepper - Manager Environment & Sustainability Ben Maddox - Principal Sustainability Officer Michelle Ayoub - Corporate Grants Lead
MAITLAND +10	Outcome 11 To reduce our reliance on non-renewable natural resources
COUNCIL OBJECTIVE:	11.1.2 Implement solutions that reduce our reliance on non-renewable natural resources

EXECUTIVE SUMMARY

This report outlines a grant opportunity to seek funding under the Round 2 Drive electric NSW EV destination charging grants program through the Department of Climate Change, Energy, the Environment and Water

OFFICER'S RECOMMENDATION

THAT

1. Council supports a grant application to the Drive electric NSW EV destination charging grants program Round 2 to deliver chargers at four Council operated sites.
2. Council allocates funding of \$41,175 from the 24/25 Energy and Water Efficiency Budget and the Energy and Water Saving Reserve in support of the grant.
3. Should the grant be successful, Council officers will report back to Council with an operating model for Council operated EV charging sites including the approach to parking and regulatory signage for EV charging sites.

PROCEEDINGS IN BRIEF

A motion was moved
(Cr M Griffin / Cr B Hackney)

THAT

1. Council supports a grant application to the Drive electric NSW EV destination charging grants program Round 2 to deliver chargers at four Council operated sites.
2. Council allocates funding of \$41,175 from the 24/25 Energy and Water Efficiency Budget and the Energy and Water Saving Reserve in support of the grant.
3. Council officers will report back to Council with an operating model for Council operated EV charging sites including the approach to parking and regulatory signage for EV charging sites.

COMMITTEE RECOMMENDATION

THAT

1. Council supports a grant application to the Drive electric NSW EV destination charging grants program Round 2 to deliver chargers at four Council operated sites.
2. Council allocates funding of \$41,175 from the 24/25 Energy and Water Efficiency Budget and the Energy and Water Saving Reserve in support of the grant.
3. Council officers will report back to Council with an operating model for Council operated EV charging sites including the approach to parking and regulatory signage for EV charging sites.

Moved Cr M Griffin, Seconded Cr B Hackney

CARRIED

The division resulted in 12 for and 0 against, as follows:

For:	Cr L Baker Cr S Fisher Cr K Flannery Cr P Garnham Cr M Griffin Cr B Hackney Cr S Halliday Cr B Mitchell Mayor P Penfold Cr K Ranadive Cr B Whiting Cr M Yarrington	Against:
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Council Resumed into Ordinary Council at 6.20 pm

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

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

11.1 MEDIA POLICY

THAT

1. Council rescind the Media Policy 2019 (Attachment 1)
2. Council adopt the Media Policy 2024 (Attachment 2)

11.2 ASSET REVALUATION POLICY

THAT

1. Council approves the Asset Revaluation Policy

11.3 SOCIAL MEDIA POLICY

THAT

1. Council rescind the Social Media Policy 2014 (Attachment 1)
2. Council adopt the Social Media Policy 2024 (Attachment 2)

11.4 DRAFT FOOD SAFETY POLICY 2024 AND INSTRUMENT OF APPOINTMENT AS AN ENFORCEMENT AGENCY 2024

THAT:

1. Council receive and note the information provided on the revised 2024 Food Regulation Partnership.
2. The draft Food Safety Policy is placed on public exhibition for a period of twenty-eight (28) days.
3. If no submissions are received by the exhibition expiry date, the draft Food Safety Policy is adopted pursuant to section 161 of the Local Government Act 1993.
4. If submissions are received, Council Officers will report back to Council.

11.5 STATEMENT OF INVESTMENTS AS AT 30 JUNE 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.

11.6 DRAFT AMENDMENT TO 2024/25 FEES FOR IMPOUNDING ANIMALS

THAT

1. Council resolves to place the draft amended Impounding Animals (dogs/cats) fees for 2024/25 on public exhibition for at least 28 days prior to final consideration by Council.

11.7 GRANT APPLICATION UNDER THE DRIVE ELECTRIC NSW EV DESTINATION CHARGING PROGRAM

THAT

1. Council supports a grant application to the Drive electric NSW EV destination charging grants program Round 2 to deliver chargers at four Council operated sites.
2. Council allocates funding of \$41,175 from the 24/25 Energy and Water Efficiency Budget and the Energy and Water Saving Reserve in support of the grant.
3. Council officers will report back to Council with an operating model for Council operated EV charging sites including the approach to parking and regulatory signage for EV charging sites.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

For:

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

Against:

12 NOTICES OF MOTION/RESCISSION

Nil

13 QUESTIONS WITH NOTICE

Nil

14 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 6.23 pm.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 6.23 pm.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

15 COMMITTEE OF THE WHOLE

15.1 CONSIDERATION OF TENDERS - CITY WIDE SIGNAGE

FILE NO:	2024/137/2331
ATTACHMENTS:	1. Signage Concepts
RESPONSIBLE OFFICER:	Jason Linnane - Director City Services Todd Stanley - Manager Building Projects and Services
AUTHOR:	Brock Andrews - Project Manager - Delivery
MAITLAND +10	Outcome 1 To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1 Make our neighbourhoods great with space, activities and programs that connect us

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 a competitive tender process to identify a suitable contractor to design, manufacture, supply, install, upgrade, and commission a series of branding and wayfinding signs across the Maitland LGA. These signs are located at the Eastern and Western entrances of the LGA on the New England Highway, at Gateways into the City Centre and to the Maitland Regional Sportsground. This report provides details of the tender assessment process and a recommendation to award a contract.

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

- Council awards the tender to AW Signs Pty Ltd for the City Wide Signage Project with a reduced scope of works for the value of \$415,747.00 (Excl. GST).**

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

15.2 CONSIDERATION OF TENDERS FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

FILE NO:	2024/2356
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Prahlad Lamichhane - Principal Resilience Officer
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

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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

EXECUTIVE SUMMARY

Tenders were called to engage a suitably qualified and experienced contractor to prepare a Floodplain Risk Management and Study Plan for the Maitland Local Government Area.

The tender period closed on 17 June 2024, following an extension. Two (2) tenders were received and assessed by a Tender Evaluation Panel as set under the Probity Plan. A further tender submission was non-compliant (late submission) and was not considered for evaluation.

This report provides details of the tender assessment and a recommendation to award a contract for the works. This report is being presented to the Committee of the Whole as it contains confidential 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) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

COMMITTEE RECOMMENDATION

THAT

- 1. Council award the tender to WMA Water for developing the LGA-wide Floodplain Risk Management Study and Plan for the value of \$375,160, including the optional items listed in the submission, being, Monte Carlo Modelling and the extension of the M1 to Raymond Terrace Flood Model.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

15.3 MELVILLE FORD BRIDGE PROJECT - LAND ACQUISITION

FILE NO:	45081 & 10077
ATTACHMENTS:	1. Melville Ford Bridge Land Acquisition Site Map_Southern Access
RESPONSIBLE OFFICER:	Mary O'Leary - Executive Manager Finance Jason Linnane - Director City Services
AUTHOR:	Michael Rathborne - Senior Property Advisor Ashley Kavanagh - Manager Works
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.5 Replace the bridge at Melville Ford to improve access for residents

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

EXECUTIVE SUMMARY

The current Melville Ford Bridge is a low-level timber bridge crossing the Hunter River at Aberglasslyn. Constructed in 1952 the timber structure provides access to residents of the Maitland Vale area and currently operates with a 5T weight restriction due to its age and deteriorated state. Some additional land is now required for the project.

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 approves the acquisition of part of 365 Aberglasslyn Road, Aberglasslyn (Lot 332 DP1113189 being 1425sqm) and part of 13 Aberglasslyn Lane, Aberglasslyn (Lot 1 DP 780655 being 629sqm) by agreement or Compulsory Acquisition if required.
2. Council authorises the General Manager to negotiate the purchase terms up to the amount of no greater than 10% above the valuation amount to be obtained from the licensed valuer.
3. Council authorises the General Manager to sign the related documentation for the acquisitions.
4. Council classifies the lands acquired as Operational land and dedicate them into Road Reserve.

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

Council resumed into Ordinary Council at 6.28 pm.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

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

15.1 Consideration of Tenders - City Wide Signage

THAT

1. Council awards the tender to AW Signs Pty Ltd for the City Wide Signage Project with a reduced scope of works for the value of \$415,747.00 (Excl. GST).

15.2 Consideration of Tenders Floodplain Risk Management Study and Plan

THAT

1. Council award the tender to WMA Water for developing the LGA-wide Floodplain Risk Management Study and Plan for the value of \$375,160, including the optional items listed in the submission, being, Monte Carlo Modelling and the extension of the M1 to Raymond Terrace Flood Model.

15.3 MELVILLE FORD BRIDGE PROJECT - LAND ACQUISITION

THAT

1. Council approves the acquisition of part of 365 Aberglasslyn Road, Aberglasslyn (Lot 332 DP1113189 being 1425sqm) and part of 13 Aberglasslyn Lane, Aberglasslyn (Lot 1 DP 780655 being 629sqm) by agreement or Compulsory Acquisition if required.
2. Council authorises the General Manager to negotiate the purchase terms up to the amount of no greater than 10% above the valuation amount to be obtained from the licensed valuer.
3. Council authorises the General Manager to sign the related documentation for the acquisitions.
4. Council classifies the lands acquired as Operational land and dedicate them into Road Reserve.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

The division resulted in 12 for and 0 against, as follows:

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

17 CLOSURE

The meeting was declared closed at 6.31 pm.

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Chairperson