



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

27 AUGUST 2024

JEFF SMITH
GENERAL MANAGER

Please note:

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

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



TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	INVOCATION.....	1
2	ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE	1
4	DECLARATIONS OF INTEREST	1
5	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
6	BUSINESS ARISING FROM MINUTES	1
7	WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS.....	1
8	PUBLIC ACCESS	1
9	MAYORAL MINUTE	2
9.1	OFF LEASH DOG PARK AT RUTHERFORD	2
9.2	SCOREBOARD AT MAITLAND FEDERATION CENTRE	3
10	OFFICERS REPORTS	4
10.1	BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025	4
10.2	DELEGATIONS OF AUTHORITY OF THE GENERAL MANAGER DURING CARETAKER PERIOD	12
10.3	AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING MINUTES - DRAFT - 18 JUN 2024	14
10.4	DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510).....	38
10.5	DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND	54

10.6	DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS.....	104
10.7	DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK	120
10.8	SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA	139
10.9	LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024).....	145
11	POLICY AND FINANCE COMMITTEE	171
11.1	COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY.....	171
11.2	BUDGET CARRY OVERS FROM 2023/24 TO 2024/25	181
11.3	STATEMENT OF INVESTMENTS AS AT 31 JULY 2024	183
12	NOTICES OF MOTION/RESCISSION	193
12.1	CR LORETTA BAKER RECOGNITION	193
12.2	MARTINS CREEK QUARRY	194
13	QUESTIONS WITH NOTICE	195
13.1	WALKA WATER WORKS MINIATURE RAILWAY	195
13.2	COOKS SQUARE FUNDING.....	196
13.3	VARIOUS COUNCIL MATTERS	197
14	URGENT BUSINESS.....	198
15	COMMITTEE OF THE WHOLE	199
15.1	CONSIDERATION OF TENDERS - MCC WORKS DEPOT NEW FIRE DETECTION SYSTEM	199
16	COMMITTEE OF THE WHOLE RECOMMENDATIONS	200
17	CLOSURE.....	200

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 13 August 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 OFF LEASH DOG PARK AT RUTHERFORD

FILE NO: 35/48
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager
AUTHOR: Philip Penfold - Mayor

MAYORAL MINUTE

In preparing the 2025/26 operational plan, the General Manager include a proposal for an enclosed off leash dog park in Rutherford.

9.2 SCOREBOARD AT MAITLAND FEDERATION CENTRE

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

MAYORAL MINUTE

That Council staff consider options for the funding and replacement of the scoreboard at the Maitland Federation Centre and provide a response to Council as part of the next Quarterly Budget Review.

Background

As the largest regional basketball association, Maitland Basketball currently have 1,300 registered junior players, a thriving social and senior competition, and 23 junior representative teams, including 9 female teams. Their commitment extends to providing community facilities and programs for disadvantaged groups, such as the disability games and the Hunter Academy of Sports Aboriginal Sports Day. They have also pioneered a free rural and regional basketball schools' program, supporting over 40 organizations.

As dedicated supporters of the Maitland Mustangs, we are all aware that our Men's team won the NBL1 grand final this year – a remarkable achievement considering our competition with federally funded sports programs and larger Sydney clubs. The Maitland Mustangs, composed primarily of local players, reflect the long-term commitment to the Maitland community. Our teams are the only nationally televised games in Maitland, representing an organisation with a national footprint and a leading basketball organisation in Australia.

The current scoreboard on the main court, now 25 years old, is frequently malfunctioning and nearing the end of its useful life. During the televised games, it has repeatedly broken down, requiring constant resets, and often fails to record fouls properly. This situation has become both impractical and embarrassing for a team on a national stage.

A partnership with Maitland Council is proposed. Maitland Basketball will contribute \$10,000 towards the cost of the new scoreboard, leaving \$30,000 for the council to cover. Although the structure's maintenance is a council responsibility per the lease agreement, they are eager to foster goodwill, strengthen the relationship, and ensure the continued excellence of a facility enjoyed by schools, local, state, and international teams.

In return, Maitland Basketball also propose that a sign be erected under the new scoreboard recognising the contribution of Maitland City Council to the Maitland Basketball Association. The current situation with the scoreboard represents an enormous opportunity for improvement at the Maitland Federation Centre but is also a highly visible signage opportunity.

10 OFFICERS REPORTS

10.1 BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025

FILE NO:	10/5/18
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jason Linnane - Director City Services Darren Crumpler - Manager Community & Recreation
AUTHOR:	Whitney Hainey - Coordinator Community & Recreation Planning Laura Peake - Community Development & Programs Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

EXECUTIVE SUMMARY

Council's Bi Annual Community Grants Program aims to provide financial support to community organisations, groups and individuals to deliver initiatives that meet community needs and benefit residents in our community.

This report presents to Council a recommendation to endorse the funding of twenty-three (23) applications under Council's 2024/2025 Bi Annual Community Grants Program Round One (1), in accordance with Section 356 of the Local Government Act and Council's Community Grants Program Policy.

OFFICER'S RECOMMENDATION

THAT

1. Council approves the allocation of funds for the Bi Annual Community Grants Program Round One (1) 2024, which includes the Community Projects Grant and the Community Celebrations Grant, as recommended in this report for applications numbered one (1) to twenty-three (23), in accordance with Section 356 of the Local Government Act, 1993.
2. Council formally thanks all twenty-six (26) applicants for their submission and advises them of Council's decision.

REPORT

Maitland City Council's Bi Annual Community Grants Program aims to provide financial support to community organisations, groups and individuals to deliver initiatives that meet community needs and benefit residents in our community.

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

Through our Bi Annual Community Grants Programs, we aim to:

- Provide equal opportunity for the community to seek funding assistance from Council to support initiatives that foster community participation, development and inclusion.
- Promote unity and diversity, create pride in our place, celebrate our culture, improve wellbeing and build a stronger, more connected neighbourhood.

The Bi Annual Grants Program comprises two distinct sub programs: the Community Projects Grants Program and the Community Celebrations Grants Program.

The Community Projects Grant Program has three distinctive sub categories designed to support community led projects, activities and events which contribute to enhancing community wellbeing and/or strengthen the ability of community organisations to respond to community needs, with up to \$6,000 per application:

- **Community Strengthening – capacity building:** projects that meet an identified need for the local community, foster opportunities for community participation and allow the community to connect and celebrate with one another.
- **Creative Community – arts and culture:** projects that provide opportunities across a broad range of arts, culture and/or local history activities that enhance the quality of life of the community.
- **Healthy Active Living – leisure and recreation:** projects that provide opportunities for leisure and recreational activities with the aim of improving health, fitness and quality of life of the community.

The Community Celebrations Grant Program has two distinctive sub categories designed to assist in the coordination of activities and events within the Maitland Local Government Area (LGA), with up to \$4,000 per application:

- **Commemorative Days** – activities and events which acknowledge and commemorate the service and sacrifice of the men and women who served Australia and its allies in wars, conflicts and peace operations.
- **Recognised Days and Weeks** – significant cultural and community initiatives which celebrate national and international days or weeks.

Applications for Round One (1) of the 2024/2025 Bi Annual Community Grants Program opened Monday 3 June 2024 and closed Friday 12 July 2024. In response to the call for applications, twenty-six (26) applications were received.

CONSULTATION

Throughout the opening period for Round One (1) of the Bi Annual Community Grant Program 2024/2025, promotion of the program was undertaken. Promotion included a media release, six (6) social posts on Maitland City Council Facebook and two (2) E-newsletters sent to our community database. Previous applicants were also contacted via

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

phone or email to inform them that Round One (1) was open for applications. Council Officers also liaised with potential applicants, supporting them with enquiries as to eligibility as well as providing support throughout the application process.

REVIEW AND ASSESSMENT

Council Officers received and compiled a summary of applications for review by the Community Grants Assessment Panel, the panel has the responsibility of reviewing and assessing the applications received. The Councillors on the panel for this year were Cr Bill Hackney, Cr Kristy Flannery and Cr Sally Halliday. There were no conflicts of interest declared by the Councillors for Round One (1) and as such, each application was assessed by the three panel members.

The Community Grants Assessment Panel convened on 1 August 2024 to assess applications and determine funding levels. The following table provides a brief description of the applicants, the funding amount requested and the funding amount endorsed by the Community Grants Assessment Panel for Round One (1) 2024/2025:

	Applicant	Project Name	Project Cost	Amount Requested	Amount Recommended	Cumulative Total
Community Projects Grant Program						
1.	A Splash of Colour Swimming	A Splash of Colour Swimming Program	\$8,000.00	\$4,000.00	\$3,225.00	\$3,225.00
2.	Carrie's Place	Supporting School Holiday Fun for Vulnerable Kids	\$8,420.00	\$4,210.00	\$4,000.00	\$7,225.00
3.	House of Grace	Child Development Awareness for Parents/Caregivers	\$15,430.00	\$6,000.00	\$4,000.00	\$11,225.00
4.	King Street Community Preschool	Nature Playground	\$32,000.00	\$6,000.00	\$5,000.00	\$16,225.00
5.	Largs Football Club	Largs Junior Football Club Launch	\$9,905.00	\$4,500.00	\$4,500.00	\$20,725.00
6.	Maitland Basketball Association	Assistance to host State Basketball Carnival	\$29,600.00	\$5,570.00	\$5,570.00	\$26,295.00

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

	Applicant	Project Name	Project Cost	Amount Requested	Amount Recommended	Cumulative Total
7.	Maitland Malayalee Association	Onam 2024	\$48,200.00	\$6,000.00	\$3,000.00	\$29,295.00
8.	Morpeth Men's Shed	Upgrade Damaged Woodwork Drill Press	\$4,706.80	\$2,300.00	\$2,300.00	\$31,595.00
9.	Sunnyfield	Community Connect	\$1,050.00	\$525.00	\$525.00	\$32,120.00
10.	We Care Connect	Begin Bright – Developmental Play for 2-5 years	\$16,000.00	\$5,000.00	\$5,000.00	\$37,120.00
11.	Newcastle Ultimate Incorporated	Come & Try Disc Golf at Stockade Hill	\$1,990.00	\$750.00	\$750.00	\$37,870.00
12.	Maitland Repertory Theatre	Maitland Flood Stories, 1955	\$13,464.00	\$2,500.00	\$2,500.00	\$40,370.00
13.	Maitland Tenambit BMX Club	Rider Development – Transponder Loop #3	\$6,788.20	\$1,894.00	\$1,894.00	\$42,264.00
14.	Hunter Valley Finch Club	Bird Expo	\$17,800.00	\$1,500.00	\$1,500.00	\$43,764.00
15.	Maitland Region Community Support	All About Women	\$8,000.00	\$4,000.00	\$4,000.00	\$47,764.00
16.	Got Your Back Sista	Begin Again	\$11,300.00	\$5,000.00	\$3,000.00	\$50,764.00
17.	Maitland Family Support	Woodberry Food Assistance	\$8,000.00	\$2,500.00	\$2,500.00	\$53,264.00
18.	Anglican Parish of East Maitland	2024 Carols on the Hill	\$23,560.00	\$5,000.00	\$5,000.00	\$58,264.00

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

	Applicant	Project Name	Project Cost	Amount Requested	Amount Recommended	Cumulative Total
19.	Cerebral Palsy Alliance	Specialised Equipment and Recourses for Children with Complex Disability in the Maitland Community	\$9,827.31	\$4,694.00	\$4,694.00	\$62,958.00
20.	Australian Museum of Clothing and Textiles	Beach Beauties to Classic Cocktails Fashion Parade	\$3,053.00	\$2,353.00	\$2,353.00	\$65,311.00
Total Project Costs						\$173,739.31
Total Recommended Funding for Community Projects Grant Round One (1)						\$65,311.00
	Applicant	Project	Project Cost	Amount Requested	Amount Recommended	Cumulative Total
Community Celebrations Grant Program						
21.	Maitland RSL sub-Branch	Remembrance Day 2024	\$5,550.00	\$4,000.00	\$2,000.00	\$2,000.00
22.	East Maitland RSL sub-Branch	Remembrance Day 2024	\$5,745.00	\$495.00	\$495.00	\$2,495.00
23.	Maitland Family Support	Maitland Family Disco for National Families Week	\$4,700.00	\$1,645.00	\$1,645.00	\$4,140.00
Total Project Costs						\$15,995.00
Total Recommended Funding for Community Celebrations Grant Round One (1)						\$4,140.00

Three (3) applications did not meet the eligibility and assessment criteria outlined in the Community Grants Program Guidelines and have therefore been excluded from this report, these applicants will be notified that they were unsuccessful. On consideration of the documentation submitted by Maitland RSL Sub-Branch the panel determined that an allocation of \$2,000.00 was appropriate. Additionally, some Community Projects grant applications received part-funding in consideration of ensuring adequate funding will be available for Round Two (2) of the Bi Annual Community Grants Program, held in October 2024.

CONCLUSION

Council's Bi Annual Community Grants Program aims to provide support to community organisations, groups and individuals that meet community needs and positively impact residents of our community.

With twenty-six (26) applications received, the Community Grants Assessment Panel are recommending full or partial funding to twenty-three (23) of the submissions. Funded projects and activities range from child development programs to food relief services, community and cultural events, as well as small equipment purchases and upgrades. Funded applications will assist to foster community participation and connection, promote access to community resources and provide benefits to the wider community.

Council staff highlight that Round One (1) of the 2024/2025 Community Grants Program has exhausted 62.2% of the Community Projects Grant allocation and 12.55% of the Community Celebrations Grant allocation. Round Two (2) is set to open in October 2024.

FINANCIAL IMPLICATIONS

The table below provides an overview of the expenditure to date for the Community Grants Program for 2024/2025 financial year. A request to roll over \$21,741.43 of unspent funds from the 2023/2024 financial year has been submitted and is in the process of being finalised, in alignment with the Community Grants Program Policy.

	Community Grants Program Funding Allocation 24/25 FY	Budget	Expended (including recommendation)	Remaining Budget
	Total Grant Funding Allocation	\$180,000.00	\$69,451.00	\$110,549.00
Distribution of Grant Funding Allocation				
Bi Annual Community Grants Program	Community Projects Grant	\$105,000.00	\$65,311.00 (62.2% expended)	\$39,689.00
	Community Celebrations Grant	\$33,000.00	\$4,140.00 (12.55% expended)	\$28,860.00
Year Round Community Grants Program	Individual Development Grant	\$37,500.00	\$0	\$37,500.00
	Discretionary Fund	\$4,500.00	\$0	\$4,500.00

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

RISK IMPLICATIONS

Risk	Risk rating	Proposed treatment	Proposed risk rating	Resourcing – within or additional
Image/Reputation - There is a risk of the recommended projects not being funded which may lead to poor community outcomes.	Medium	Council endorse the recommended applications for funding.	Low	Existing resources
Financial There is a risk of grant funding being used by applicants for something other than the identified project which may lead to misuse of Council funding.	Medium	Funding agreements will be developed that outline the requirements of expenditure including that funds cannot be spent on anything outside of the project scope. Acquittals will also need to be completed by applicants.	Low	Existing resources
Image / Reputation There is a risk of failing to offer financial support to community initiatives which may lead to a fractured reputation for Council within the community.	Medium	Council endorse the recommended applications for funding, upholding Council's commitment to financially support community initiatives.	Low	Existing resources
Image / Reputation There is a risk of perceived lack of transparency regarding funding allocations which may lead to a damaged reputation within the community.	Medium	Eligibility and assessment criteria for the program is available on Council's website which provides transparency regarding the assessment process, additionally scoring is completed by the panel which subsequently identifies funding.	Low	Existing resources

BI ANNUAL COMMUNITY GRANTS PROGRAM ROUND ONE 2024/2025 (Cont.)

POLICY IMPLICATIONS

This matter refers to the Community Grants Program Policy. This policy provides direction on the types of programs that are funded, standard eligibility criteria for applicants and the governance and appeals processes for this program.

STATUTORY IMPLICATIONS

This matter is in accordance with Section 356 of the Local Government Act 1993. Failure to comply with the Local Government Act 1993 may result in a Performance Improvement Order issued by the Minister.

10.2 DELEGATIONS OF AUTHORITY OF THE GENERAL MANAGER DURING CARETAKER PERIOD

FILE NO:	40/1
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning
AUTHOR:	Kelsie Wilson - Team Leader OGM
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

Under Local Government Regulation, council is required to assume a 'caretaker' role in the four (4) weeks preceding the election date. The caretaker period for the 2024 Local Government election commences on Friday 16 August 2024 and ends on Saturday 14 September 2024.

It is recommended that an amendment be made to the General Manager's delegations to facilitate the determining of non-controversial development applications for the period between the last meeting before the NSW Local Government Election and the first meeting of the Council following the election.

OFFICER'S RECOMMENDATION

THAT

1. The General Manager be delegated all delegable functions of determining non-controversial development applications for the period between the last meeting before the NSW Local Government Election and the first meeting of the Council following the election.

REPORT

As reported to Council on 9 July 2024 during the regulated caretaker period, certain functions must not be exercised by the council, or the general manager or other delegate of council including:

- (a) Under Clause 393B controversial development applications cannot be determined, except where:
 - (i) A failure to make such a determination would give rise to a deemed refusal under the Environmental Planning & Assessment Act 1979, Section 8.11(1); or
 - (ii) Such a deemed refusal arose before the commencement of the caretaker period.

DELEGATIONS OF AUTHORITY OF THE GENERAL MANAGER DURING CARETAKER PERIOD (Cont.)

A 'controversial development application' means a development application for designated development for which at least 25 persons have made a submission during community consultation. 'Designated development' is defined under Section 4.10 of the Environmental Planning and Assessment Act 1979 as:

- (1) Designated development is development that is declared to be designated development by an environmental planning instrument or the regulations.
- (2) Designated development does not include State significant development despite any such declaration.

Council intends that the General Manager be delegated to determine all non-controversial development applications for the period between the last meeting before the NSW Local Government Election and the first meeting of the Council following the election.

CONCLUSION

As recommended by the Office of Local Government NSW, Council is ensuring the appropriate delegations are in place for the General Manager to continue exercising the functions of Council as required during the period noted in the Officers Recommendation.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

Development Applications that are not deemed as controversial developments will continue to be considered and assessed on merits against the relevant environmental planning instruments under Section 4.15 of the *Environmental Planning and Assessment Act* 1979.

STATUTORY IMPLICATIONS

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

10.3 AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING MINUTES - DRAFT - 18 JUN 2024

FILE NO:	81/26
ATTACHMENTS:	1. ARIC Draft Minutes 18 June 2024
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

The Audit Risk and Improvement Committee (ARIC) meeting was held on 18 June 2024. The draft minutes of the meeting are submitted to Council for information.

OFFICER'S RECOMMENDATION

THAT

1. Council note the draft minutes of the ARIC meeting of 18 June 2024.

REPORT

The draft minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 18 June 2024 are attached for information. The minutes will be formally adopted by the ARIC at its next meeting in September 2024.

ARIC considered a series of reports including Financial Statements, Internal Audit program progress, Service Review and Safety Management Frameworks.

CONCLUSION

Council's Audit, Risk and Improvement Committee met on 18 June 2024, with the draft minutes of the ARIC provided to Council for information, in accordance with the Terms of Reference.

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.

AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING MINUTES - DRAFT - 18 JUN 2024 (Cont.)

STATUTORY IMPLICATIONS

This report complies under the Local Government Act 1993 and the Local Government (General) Regulation 2021.

Officers Reports

AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING MINUTES - DRAFT - 18 JUN 2024

ARIC Draft Minutes 18 June 2024

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 18



AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING

DRAFT MINUTES

18 JUNE 2024



18 JUNE 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	ACKNOWLEDGEMENT OF COUNTRY	1
2	GOVERNANCE	1
2.1	APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE	1
2.2	DISCLOSURE OF INTEREST	2
3	COMMITTEE WORKPLAN	3
3.1	ARIC WORKPLAN 2024	3
4	MINUTES OF PREVIOUS MEETING	4
4.1	ARIC MEETING - MINUTES - 3 APRIL 2024	4
5	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	4
6	FINANCIAL MANAGEMENT	5
6.1	EXTERNAL AUDIT - UPDATE	5
6.2	BUDGET REVIEW - 3RD QTR - PERIOD ENDED 31 MAR 2024	6
6.3	ASSET REVALUATION POLICY	8
6.4	FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024	9
7	GENERAL REPORTS	10
7.1	INTERNAL AUDIT - PROGRAM PROGRESS	10
7.2	ENTERPRISE RISK MANAGEMENT PROGRAM	11
7.3	OPERATIONAL PLAN 2023-24 - PERFORMANCE REVIEW - 3RD QTR - PERIOD ENDING 31 MAR 2024	12
7.4	SERVICE REVIEW FRAMEWORK	13
7.5	SAFETY MANAGEMENT FRAMEWORK	14
7.6	AUDIT RISK IMPROVEMENT COMMITTEE - SELF ASSESSMENT RESULTS	15
8	CONFIDENTIAL REPORTS	16

18 JUNE 2024

8.1	WHS UPDATE - 3RD QTR - PERIOD ENDING 31 MAR 2024.....	16
8.2	RISK, INSURANCE & INCIDENT UPDATE - 3RD QTR - PERIOD ENDING 31 MAR 2024.....	17
9	GENERAL BUSINESS.....	18
10	NEXT MEETING.....	18
11	CLOSURE.....	18

18 JUNE 2024

PRESENT

Dave Pendleton, Chair
Jennifer Leslie, Independent Member
Ben Lawson, Independent Member (via teams)

General Manager, Jeff Smith
Chief Audit Executive, Tiffany Allen
Executive Manager Finance, Mary O'Leary
Chief Financial Officer, Michael Burfitt (left the meeting at 11.30am)
Manager Enterprise Risk, Health & Safety, Leisa Tate
Coordinator Risk, Fiona Goodman
Senior Risk & Audit Officer, Donna Morris
Mayor, Philip Penfold (left the meeting at 11.30am)

External Representatives

PKF, David Hutchison
PKF, Amy Daley
Prosperity, Alex Hardy (via teams – joined the meeting at 10.42am)

Council representatives who joined the meeting

Manager Finance & Procurement, Annette Peel (11.04am to 11.29am)
Manager Corporate Planning & Performance, Kelly Arnott (12.03pm to 12.31pm)

1 ACKNOWLEDGEMENT OF COUNTRY

The Chair, Dave Pendleton, read the Acknowledgement of Country.

2 GOVERNANCE**2.1 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE****COMMITTEE RESOLUTION**

THAT the apology received for the unavoidable absence of Cassie Malone be accepted.

COMMITTEE RESOLUTION

THAT the remote attendance of Ben Lawson and Alex Hardy be accepted.

18 JUNE 2024

2.2 DISCLOSURE OF INTEREST

Jennifer Leslie – Informed the meeting of new appointments:

- Compass Housing Services Co Ltd (trading as Home in Place) – Board Observer (1.7.24) - Transitioning to Non-Executive Director (21.11.24)
- NSW Health Care Complaints Commission – Audit & Risk Committee (10.4.24)
- Newcastle University Sport (NUSport) – Director (14.2.24)

18 JUNE 2024

3 COMMITTEE WORKPLAN

3.1 ARIC WORKPLAN 2024

FILE NO:	81/26
ATTACHMENTS:	1. ARIC Workplan 2024
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

ITEM SUMMARY

ARIC Workplan 2024

COMMITTEE RESOLUTION

THAT

1. ARIC reviewed the workplan for 2024, and noted several items were not assigned in the 2024 plan, however these will be included in the 2025 workplan.

Moved: Dave Pendelton with support of Jennifer Leslie and Ben Lawson

18 JUNE 2024

4 MINUTES OF PREVIOUS MEETING

4.1 ARIC MEETING - MINUTES - 3 APRIL 2024

FILE NO:	567
ATTACHMENTS:	1. ARIC Minutes - 3 April 2024 - Draft
RESPONSIBLE OFFICER:	Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

ITEM SUMMARY

Draft Minutes from ARIC meeting of 3 April 2024

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Audit Risk and Improvement Committee Meeting held 3 April 2024 be confirmed.

Moved: Ben Lawson Seconded: Jennifer Leslie

18 JUNE 2024

6 FINANCIAL MANAGEMENT

6.1 EXTERNAL AUDIT - UPDATE

FILE NO:	13/6
ATTACHMENTS:	Nil
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 Audit Office of New South Wales is responsible for the annual audit of Council statutory financial statements. The annual engagement plan contains key information about the 2024 audit.

While the Audit Office is responsible in forming an opinion on the financial statements they engage contract auditors to perform the work. Prosperity Advisor Group has been engaged to do this work.

Representatives from the Audit Office and / or Prosperity will be in attendance to provide an update.

OFFICER'S RECOMMENDATION

THAT

1. ARIC note the update provided by the Audit Office of NSW and Prosperity.

COMMITTEE RESOLUTION

THAT

1. ARIC noted the update provided by Prosperity on behalf of the Audit Office of NSW.
2. ARIC requested the Interim management letter from the Audit Office be circulated to ARIC prior to the September meeting.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

6.2 BUDGET REVIEW - 3RD QTR - PERIOD ENDED 31 MAR 2024

FILE NO:	2/8
ATTACHMENTS:	1. Quarterly Budget Review Statement 31 March 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

This report has been reported to Council and is customized for the ARIC. The recommendations have been changed however the technical information is unchanged.

The Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of each quarter. It is a mechanism whereby Councilors 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 center's \$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. ARIC notes the requirement for a second quarter budget review has been met, as presented and adopted by Council on the 28 May 2024.**

18 JUNE 2024

COMMITTEE RESOLUTION

THAT

1. ARIC noted the report for the second quarter budget review.
2. ARIC note that all requirements have been met in this report
3. ARIC noted this report was presented and adopted by Council on the 28 May 2024.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

6.3 ASSET REVALUATION POLICY

FILE NO:	3
ATTACHMENTS:	1. Draft Asset Revaluation Policy
RESPONSIBLE OFFICER:	Mary O'Leary - Executive Manager Finance
AUTHOR:	Tracey Tighe - Senior Corporate Accountant 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 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. ARIC receives and notes the Asset Revaluation Policy**

COMMITTEE RESOLUTION**THAT**

- 1. ARIC noted the Audit Office, has provided Council input and feedback on the Asset Revaluation Policy**
- 2. ARIC provided Council feedback requesting item 12 be amended ARIC does not approve but that of endorsement.**

Moved: Ben Lawson Seconded: Jennifer Leslie

18 JUNE 2024

6.4 FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2024

FILE NO:	4
ATTACHMENTS:	1. Draft Financial Statements year ending 30 June 2024
RESPONSIBLE OFFICER:	Mary O'Leary - Executive Manager Finance
AUTHOR:	Tracey Tighe - Senior Corporate Accountant 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

Financial Statements for the year ending 30 June 2024 have been updated for any revised disclosures ahead of the year end work. The updates were submitted to the external auditors and any feedback was incorporated into the statements attached.

OFFICER'S RECOMMENDATION**THAT**

- 1. ARIC receive and note the updates to the Financial Statements for the year ending 30 June 2024**

COMMITTEE RESOLUTION**THAT**

- 1. ARIC noted the updates to the Financial Statements for the year ending 30 June 2024.**
- 2. ARIC requested the Chief Financial Officer take on notice governance controls around unrestricted cash.**

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

7 GENERAL REPORTS

7.1 INTERNAL AUDIT - PROGRAM PROGRESS

FILE NO:	81/17/6
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Internal audit (IA) is an independent, objective assurance and consulting activity designed to add value and improve Council's operations. The IA program supports Council in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

This report has been prepared for PKF to provide ARIC with an update on Council's Internal Audit Program.

OFFICER'S RECOMMENDATION

THAT

1. ARIC consider the Internal Audit Program progress update from PKF/MCC;
2. ARIC note the IA2023 – Accounts Payable report.

COMMITTEE RESOLUTION

THAT

1. ARIC noted the Internal Audit Program progress report and update provided by both PKF and Council.
2. ARIC requested that future reporting to include risk rating including on identified actions requiring attention.
3. ARIC requested that future extensions on outstanding audit actions be presented to ARIC by the responsible Council Officer for discussion and endorsement.
4. ARIC noted the IA2023 – Accounts Payable report.

Moved: Ben Lawson Seconded: Jennifer Leslie

18 JUNE 2024

7.2 ENTERPRISE RISK MANAGEMENT PROGRAM

FILE NO:	81/17/6
ATTACHMENTS:	1. ARIC Transition Plan
RESPONSIBLE OFFICER:	Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Fiona Goodman - Coordinator Risk
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

Changes to the Local Government Act 1993-part 4 sec 382, the Local Government (General) Regulation 2021 ('Local Government Regulation') and the Risk Management and Internal Audit for local councils in NSW Guidelines now require each council in NSW to have a robust risk management framework that accurately identifies and mitigates the risks facing the council with its operations by 1 July 2024.

Council understanding it's requirement to plan for and manage growth and change, deliver on its objectives within the context of significant population, climate, and urban change as well as increased legislative and regulatory compliance obligations and financial accountability. It is Committed to taking a structured and innovative approach to the management of risk throughout the organisation to promote and demonstrate good corporate governance, to minimise loss and maximise opportunities to improve service provision.

Council's Risk Management program is aligned to the ISO 31000:2018 Standard and applies to all activities of Council.

OFFICER'S RECOMMENDATION

THAT

1. ARIC note Councils Enterprise Risk Management Program project status.

COMMITTEE RESOLUTION

THAT

1. ARIC noted Councils Enterprise Risk Management Program project status.
2. ARIC requested that the completed implemented program be provided to the September meeting.

Moved: Ben Lawson Seconded: Jennifer Leslie

18 JUNE 2024

**7.3 OPERATIONAL PLAN 2023-24 - PERFORMANCE REVIEW - 3RD QTR - PERIOD
ENDING 31 MAR 2024**

FILE NO: 35/33/18/12

ATTACHMENTS: 1. Quarterly Progress Report - Q3 FY2023-24

RESPONSIBLE OFFICER: Tiffany Allen - Executive Manager People and Performance

AUTHOR: Kelly Arnott - Manager Corporate Planning and Performance
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

This report and attachments provide a status update of identified priority projects, Operational Plan actions and key corporate performance metrics as of Q3 FY2023-24.

OFFICER'S RECOMMENDATION**THAT**

1. ARIC note the information provided within the report.

COMMITTEE RESOLUTION**THAT**

1. ARIC noted the information provided within the report.
2. ARIC requested future reporting to include Cyber statistics that encompasses staff training, phishing sims, targets etc as well as staff turnover statistics.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

7.4 SERVICE REVIEW FRAMEWORK

FILE NO:	35/33/18/12
ATTACHMENTS:	1. Service Review Framework 2. Service Review Supporting Templates
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Kelly Arnott - Manager Corporate Planning and Performance Rachna Sangwan - Corporate Performance Lead
MAITLAND +10	Outcome 16. To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.1.1 Develop contemporary and integrated community and corporate strategic and operational plans

EXECUTIVE SUMMARY

This report and attachments provide an overview of the Service Review Framework. The framework has been established to foster a culture of continuous improvement and align service delivery with community expectations and resource constraints, as well as achieve the requirements set out in the [NSW Integrated Planning and Reporting guidelines](#).

OFFICER'S RECOMMENDATION

THAT

1. ARIC note the information provided within the report and the attachments.

COMMITTEE RESOLUTION

THAT

1. ARIC noted the information provided within the report and the attachments.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

7.5 SAFETY MANAGEMENT FRAMEWORK

FILE NO:	Nil
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Leisa Tate - Manager Enterprise Risk, Health & Safety
MAITLAND +10	Outcome 16. To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.2.3 Provide an environment of safety and wellbeing for Council's workforce

EXECUTIVE SUMMARY

At the meeting of 8 March 2023, ARIC expressed an interest in building understanding of the management of risk across the organization through presentations from members of the Executive Leadership Team.

As such, the Enterprise Risk Health and Safety Manager will present on the WHS Management System.

OFFICER'S RECOMMENDATION**THAT**

1. ARIC note the presentation of the Workplace Health and Safety Management System.

COMMITTEE RESOLUTION**THAT**

1. ARIC noted the presentation of the Workplace Health and Safety Management System.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

7.6 AUDIT RISK IMPROVEMENT COMMITTEE - SELF ASSESSMENT RESULTS

FILE NO:	81/17/6
ATTACHMENTS:	1. ARIC - Self Assessment 2024 - Results
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Leisa Tate - Manager Enterprise Risk, Health & Safety Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Council has established an Audit, Risk and Improvement Committee in compliance with section 428A of the Local Government Act 1993, and the Departmental Chief Executive's draft Guidelines for Risk Management and Internal Audit for Local Government in NSW.

OFFICER'S RECOMMENDATION**THAT**

1. ARIC note the results of the Self-Assessment audit;

COMMITTEE RESOLUTION**THAT**

1. ARIC noted the results of the Self-Assessment audit;
2. ARIC requested future assessment be refined including the reporting to be broken down identifying clear areas for improvement.
3. ARIC requested that future agendas include a standard item for Council Officers to present a 10 min presentation on the operations of one of the 35 service areas.

Moved: Ben Lawson Seconded: Jennifer Leslie

18 JUNE 2024

8 CONFIDENTIAL REPORTS

8.1 WHS UPDATE - 3RD QTR - PERIOD ENDING 31 MAR 2024

FILE NO:	130/50
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jeff Smith - General Manager Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Leisa Tate - Manager Enterprise Risk, Health & Safety
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.2.3 Foster an engaged workforce that is skilled, collaborative and focused on our customer

EXECUTIVE SUMMARY

The WHS Quarterly Report provides an overview of Safety Actions, Incidents and Workers Compensation Claims relevant to each area of Council for the quarter as well as information on annual workers compensation premium calculations.

OFFICER'S RECOMMENDATION

THAT

1. ARIC note the information contained in the report.

COMMITTEE RESOLUTION

THAT

1. ARIC noted the information contained in the report.
2. ARIC requested future reporting to include psychosocial risks.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

8.2 RISK, INSURANCE & INCIDENT UPDATE - 3RD QTR - PERIOD ENDING 31 MAR 2024

FILE NO:	81/2
ATTACHMENTS:	1. CIP 2023 Benchmarking Report
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance Leisa Tate - Manager Enterprise Risk, Health & Safety
AUTHOR:	Fiona Goodman - Coordinator Risk Donna Morris - Senior Risk and Audit Officer
MAITLAND +10	Outcome 15. To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

This report has been prepared to provide an overview of significant activities undertaken in the areas of risk management, including insurance in the third quarter of 2023/2024, and ensuring an appropriate focus and resourcing of Council's risk and insurance function falls within the remit of ARIC.

The report moving forward will identify trends and potential corrective actions, and is presented to ARIC for information, and further seeks the endorsement of ARIC in undertaking risk management actions as proposed.

OFFICER'S RECOMMENDATION**THAT**

1. ARIC note the information contained within the report.

COMMITTEE RECOMMENDATION**THAT**

1. ARIC noted the information contained within the report.

Moved: Jennifer Leslie Seconded: Ben Lawson

18 JUNE 2024

9 GENERAL BUSINESS

The General Manager reported to ARIC that an external IT consultant had conducted a penetration test and that no vulnerabilities were found.

10 NEXT MEETING

The next meeting is scheduled for 10 September 2024.

11 CLOSURE

The meeting was declared closed at 1.26pm.

.....
Dave Pendleton, Chair

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

10.4 DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510)

FILE NO: DA 2023/433

ATTACHMENTS:

1. Locality Plan
2. Development Plans
3. Assessment Report (Under Separate Cover)
4. Conditions of Consent (Under Separate Cover)

RESPONSIBLE OFFICER: Matthew Prendergast - Director City Planning
Cindy Littlewood - Manager Development & Compliance
Kristy Cousins - Coordinator Planning & Development

AUTHOR: Georgie Williams - Principal Planner

APPLICANT: ACG Clovelly Road Pty Ltd
C/o ADW Johnson

OWNER: Maria Romanelli

PROPOSAL: Demolition, one into 109 Lot Torrens Title Subdivision, two drainage reserves, one residue lot, one road widening lot, constructed in five stages

LOCATION: 523 Raymond Terrace Road, Chisholm NSW 2322
Lot 100 DP847510

ZONE: R1 – General Residential

EXECUTIVE SUMMARY

Development Application No. DA/2023/433 seeks development consent for demolition, one into 109 Lot Torrens Title Residential Subdivision, two drainage reserves, one residue lot, one road widening lot, delivered in five stages at 523 Raymond Terrace Road, Chisholm (refer to Attachment 1 for the Locality Plan and Attachment 2 for the Plans).

The subject site is zoned R1 General Residential under the Maitland Local Environmental Plan (MLEP) 2011 and is located within the Thornton North Urban Release Area (URA).

The application was publicly notified/advertised for a period of 28 days from 15 June to 12 July 2023 in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and Council's Community Participation Plan (CPP). No submissions were received.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

The site is located on bushfire prone land and accordingly General Terms of Approval (GTA's) have been obtained from the NSW Rural Fire Service (RFS) for the proposed residential subdivision.

The proposed works are located within 40 metres of a watercourse and accordingly GTA's have been issued by the former Department of Planning and Environment – Water (DPE-W), now known as Department of Climate Change, Energy, the Environment and Water.

A Satisfactory Arrangements Certificate (SAC) was issued for the proposed residential subdivision by the former Department of Planning and Environment (DPE) on 30 June 2023 stating that satisfactory arrangements have been made to contribute to the provision of designated State Infrastructure.

The application is being reported to Council due to the cost of works for the residential subdivision (\$7,376,500) and numerical non-compliance with a development standard contained within Clause 4.1 of the MLEP 2011. A Clause 4.6 (Exceptions to Developments Standards) has been submitted to vary the numerical control of 450m² by 72m² or 16.3% to 377m².

*The application has been assessed against the relevant heads of consideration contained in section 4.15(1) of the Act (refer to **Attachment 3** for the Assessment Report) and considered to be satisfactory subject to the imposition of conditions of consent (refer to **Attachment 4** for the schedule of draft conditions).*

OFFICER'S RECOMMENDATION

THAT

- 1. DA/2023/433 for demolition, one into 109 Lot Torrens Title Residential Subdivision, two drainage reserves, one residue lot, one road widening lot, constructed in five stages at 523 Raymond Terrace Road, Chisholm, is approved subject to the recommended schedule of conditions contained in Attachment 4 of this report.**

Introduction

The purpose of this report is to seek development consent from Council for DA/2023/433 proposing demolition, one into 109 Lot Torrens Title Residential Subdivision, two drainage reserves, one residue lot, one road widening lot, delivered in five stages at 523 Raymond Terrace Road, Chisholm.

The application is being reported to Council as the numerical non-compliance with the minimum lot size of 450m² contained within Clause 4.1 of MLEP 2011 does not comply with a development standard and therefore exceeds the delegations afforded to the General Managers delegations contained within Section 3(b)(i) of the 'Delegations of Authority' for the General Manager document.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

The proposed estimated cost of the residential subdivision at \$7,376,500 also exceeds the General Managers delegations of \$5 million contained within Section 3(b)(iii) of the 'Delegations of Authority'.

A detailed assessment in accordance with Section 4.15 of the Act is provided within **Attachment 3** to this report.

Site Description

The legal description of the land on which the development is to be carried out is Lot 100 DP847510, known as 523 Raymond Terrace Road, Chisholm.

The subject site is located to the northern side of Raymond Terrace Road, which is a classified road, with a road frontage of 160.8m and total site area of 10.220 ha (refer to Figure 1 and photo 1 below). Existing on the site is a single storey detached brick dwelling house with three shed structures. An existing gravel driveway provides vehicular access from Raymond Terrace Road.

A first order watercourse and riparian corridor traverses the mid-section of the site. The site generally falls towards the watercourse from the rear boundary at 26m AHD to the watercourse at 18m AHD. The southern section of the site falls towards Raymond Terrace Road at 22m AHD. The site contains native vegetation including Endangered Ecological Community (EEC) – Lower Hunter Spotted Gum Ironbark Forest and Spotted Gum Ironbark Forest.

Future access to the site will be gained via an approved subdivision road network to the east under DA/2019/563 and DA/2019/574. The adjoining properties to the north and east currently have development applications under assessment (refer to relevant history section of the attached assessment report contained in **Attachment 3**).

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)



Photo 1 – Drone shot of the subject site looking northwest from Raymond Terrace Road



Figure 1 – Aerial locality map

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

Proposal

The development application proposes the following works at 523 Raymond Terrace Road, Chisholm (refer to Figure 2 below):

- Demolition of the existing dwelling house and structures on site.
- One into 109 Lot Torrens Title Residential Subdivision delivered in five stages as follows:
 - Stage 1: 40 Lots (Lots 101 to 141) and 1 drainage reserve (Lot 141);
 - Stage 2: 43 Lots (Lots 201 to 243);
 - Stage 3: 13 Lots (Lots 301 to 313) and 1 drainage reserve (Lot 314) and 1 road widening (Lot 315);
 - Stage 4: 7 Lots (Lots 401 to 407);
 - Stage 5: 6 Lots (Lots 501 to 507) and 1 residue lot (Lot 507).
- Residential lots range in size from 456m² to 844m²;
- One residue lot in two parts (Lot 507) with a total site area of 377m².
- Associated works include:
 - Clearing 10.096 ha of vegetation, which includes 2.837 ha of native vegetation, which is mapped as containing Endangered Ecological Community (EEC) – Lower Hunter Spotted Gum Ironbark Forest and Spotted Gum Ironbark Forest.
 - Retention of 5 trees in perpetuity.
 - Bulk earthworks and lot regrading. Estimated volumes of cut and fill as follows:
 - Cut: 12,095m³;
 - Fill: 6352m³;
 - Balance: 5743m³ (export);
 - Construction / extension of local roads with 1.5m wide footpaths along one side.
 - Construction / extension of a Collector Road with 2.5m wide shared path along one side.
 - Provision of stormwater infrastructure with a bio retention basin including:
 - Lot 141 with an area of 6028m²; and
 - Lot 314 with an area of 1554m².
 - Dedication of a road widening lot adjacent to Raymond Terrace Road being Lot 315 with an area of 3357m².
 - Provision of essential infrastructure including water, sewer, communication (NBN) and electrical services;
 - Creation of temporary and permanent Asset Protection Zones (APZ's);
 - Landscaping including street trees and 10m wide landscape buffer to Raymond Terrace Road.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

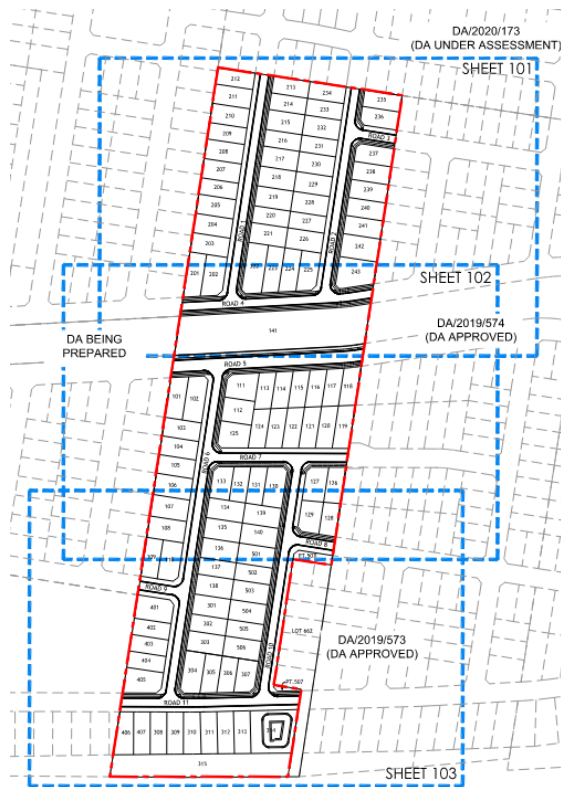


Figure 2 – Overall Site Plan

KEY ISSUES

The proposed subdivision is large-scale and a summary of the key issues are presented in this report as follows:

Agency Submissions

The proposal was referred to the NSW RFS and the DPE-W as Integrated Development. GTAs have been issued by both State Agencies and included within the schedule of draft conditions (refer to **Attachment 4**).

The proposal was also referred to Ausgrid pursuant to SEPP (Transport & Infrastructure) 2021, with no objection raised.

Pursuant to Clause 5.10(8)(b) of the MLEP 2011, the application was also referred to Mindaribba Local Aboriginal Land Council with no comments received.

Pursuant to Clause 6.1 of the MLEP 2011, a SAC was issued for the proposed residential subdivision by the former DPE on 30 June 2023 stating that satisfactory arrangements have been made to contribute to the provision of designated State Infrastructure.

A summary of the referrals and detailed commentary is provided in the assessment report (refer to **Attachment 3**).

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

Public Consultation

The application was publicly notified/advertised for a period of 28 days from 15 June to 12 July 2023 in accordance with the Act and Council's CPP. No submissions were received.

Biodiversity

The proposed development will directly impact approximately 2.85 ha of native vegetation as follows:

- Triggers the Biodiversity Offset Scheme (BOS) due to clearing thresholds being exceeded;
- Will require the removal of 2.85 ha of native vegetation;
- Will result in a credit obligation of 58 ecosystem credits for impacts to PCT 1593, PCT 1736, and PCT 1600, and 58 species credits for impacts to southern myotis;
- Has reasonably addressed the avoid and minimise hierarchy through retention of five hollow-bearing trees that are suitable protected through Section 88B restrictions under the *Conveyancing Act 1919*.

Council has worked with the applicant throughout the assessment process to ensure that the proposal had adequately addressed the avoid and minimise requirements. The proposed lot layout was amended to enable the retention of five hollow bearing trees.

The applicant has submitted a revised BDAR, version 6, prepared by AEP, dated 2 August 2024, which has been reviewed by Council's Ecologist as acceptable (refer to detailed assessment in **Attachment 3** of this report) subject to the imposition of conditions of consent.

Bushfire

The subject site is mapped as bushfire prone land, Vegetation Category 1 & 3 and Vegetation Buffer. Accordingly, the application was referred to the NSW RFS as integrated development. The NSW RFS issued their revised GTA's on 3 April 2024. These GTA's will be included on any development consent issued.

In regard to planning for bushfire, the revised development scheme was accompanied by a revised Bushfire Assessment Report (BAR), Version 5, dated 6 February 2024, prepared by Bushfire Planning Australia. The BAR found the site is currently exposed to a high bushfire hazard located to the north, east and west of the subject site.

The bushfire hazard is likely to reduce over the next 2-5 years as the remaining land surrounding the subject site zoned for residential use is subdivided and the remaining hazardous vegetation removed. The only remaining vegetation presenting a long-term bushfire hazard is the vegetation contained within the riparian corridor that bisects the subject site.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

The BAR concludes the bushfire hazard the proposed development is exposed to, can be successfully mitigated by applying a combination of bushfire mitigation measures including temporary and permanent Asset Protection Zones (APZs).

The recommendations contained within the BAR are generally concurred with and subject to approval, will form an approved document.

Earthworks

The proposed development includes some bulk earthworks and minimal lot regrading with estimated volumes of cut and fill as follows:

- Cut: 12,095m³;
- Fill: 6352m³;
- Balance: 5743m³ (export).

Subject to the imposition of conditions of consent during the construction phase including the quality of fill (if any required) and the amenity impacts associated with noise, dust and traffic on adjoining properties has been assessed as acceptable.

Minimum lot size

The applicant has submitted a Clause 4.6 variation seeking to vary the minimum lot size contained within Clause 4.1 of the MLEP 2011 of 450m². The proposed residue lot in two parts (Lot 507) is non-compliant with a total site area of 377m². This represents a non-compliance of 72m² or a 16.3% variation.

The request to vary the development standard is detailed in the assessment report (refer to **Attachment 3**), however in summary the applicant has detailed that the proposed residue lot is intended to be part of a land swap arrangement with the adjoining owner of Lot 662 DP733736 at 539 Raymond Terrace Road, under a future residential subdivision. For this reason, it is considered that the proposed undersized allotment, when part of the land swap arrangement, will comply with the objectives of the lot size standard. The residue lot falls within stage 5, the last stage, to enable time for those negotiations to occur.

Subject to approval, it is recommended that a condition be imposed to ensure a restriction on the title of Lot 507 is created under Section 88B of the Conveyancing Act 1919 to identify the lot as a residue lot and that separate development consent is required to develop this lot, other than for the purposes of connecting infrastructure to adjoining lots.

The applicant's Clause 4.6 has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and can be supported.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

Traffic and Road Infrastructure

The proposal is located within Stage 2 of the Thornton North URA and relies on infrastructure upgrades (Raymond Terrace Road / Government Road intersection) and the construction of internal connecting roads to the east, which will provide the northern access leg into the eastern precinct of Chisholm.

Accordingly, a condition is recommended for imposition to ensure that prior to the issue of a Subdivision Certificate, the development must be connected to the public internal road network to the east of the development site dedicated to Council under DA/2019/652, DA/2019/574 and DA/2019/573 and connected (practical completion) to Raymond Terrace Road through the construction of Traffic Controls Signals (TCS) at the intersection of Raymond Terrace Road / Government Road through DA/2019/652.

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

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

CONCLUSION

This application has been assessed against the relevant heads of consideration in section 4.15(1) of the Act as acceptable and is recommended for approval subject to the conditions contained in **Attachment 4** of the report.

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

Officers Reports

**DA 2023/433 FOR DEMOLITION, ONE
INTO 109 LOT TORRENS TITLE
RESIDENTIAL SUBDIVISION, TWO
DRAINAGE RESERVES, ONE RESIDUE LOT,
ONE ROAD WIDENING LOT,
CONSTRUCTED IN FIVE STAGES AT 523
RAYMOND TERRACE ROAD, CHISHOLM
(LOT 100 DP847510)**

Locality Plan

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 1

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)



Printed: 3/07/2024

DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)

Officers Reports

**DA 2023/433 FOR DEMOLITION, ONE INTO
109 LOT TORRENS TITLE RESIDENTIAL
SUBDIVISION, TWO DRAINAGE RESERVES,
ONE RESIDUE LOT, ONE ROAD WIDENING
LOT, CONSTRUCTED IN FIVE STAGES AT 523
RAYMOND TERRACE ROAD, CHISHOLM
(LOT 100 DP847510)**

Development Plans

Meeting Date: 27 August 2024

Attachment No: 2

Number of Pages: 4

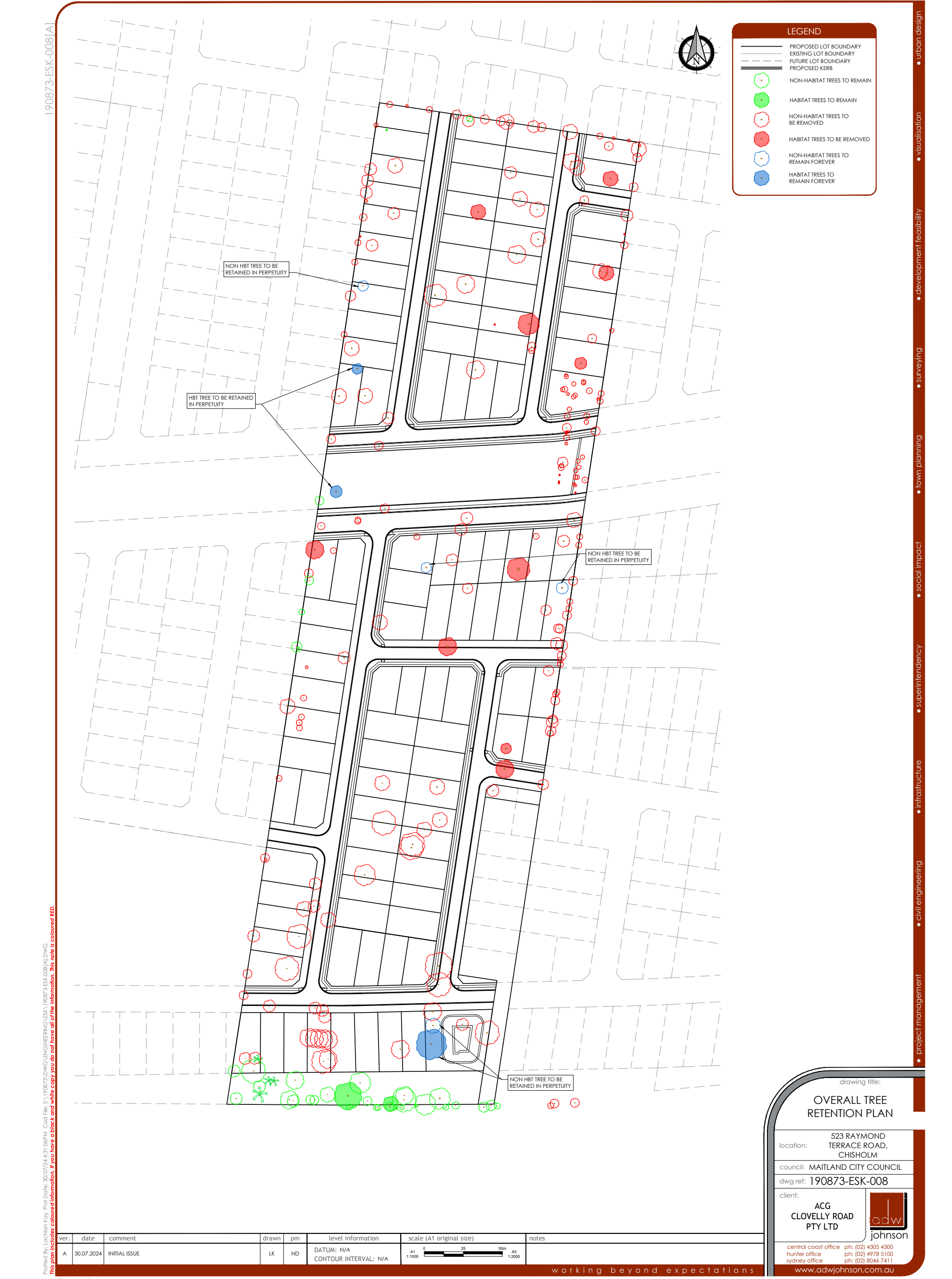




DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)



DA 2023/433 FOR DEMOLITION, ONE INTO 109 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, TWO DRAINAGE RESERVES, ONE RESIDUE LOT, ONE ROAD WIDENING LOT, CONSTRUCTED IN FIVE STAGES AT 523 RAYMOND TERRACE ROAD, CHISHOLM (LOT 100 DP847510) (Cont.)



10.5 DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND

FILE NO: DA/2024/431

ATTACHMENTS:

1. Locality Plan
2. Development Plans
3. Assessment Report
4. Conditions of Consent

RESPONSIBLE OFFICER: Matthew Prendergast - Director City Planning
Cindy Littlewood - Manager Development & Compliance
Kristy Cousins - Coordinator Planning & Development

AUTHOR: Thomas Howell - Senior Development Planner

APPLICANT: Julie Garratley

OWNER: East Maitland Bowling Club Ltd

PROPOSAL: Alterations and Additions to Registered Club

LOCATION: 23 Banks Street East Maitland

ZONE: RE2 Private Recreation

EXECUTIVE SUMMARY

*A development application (DA/2024/431) has been received seeking consent for Alterations and Additions to a Registered Club at 23 Banks Street East Maitland (Lot 21 DP1019387, Lot 397 DP755237, Lot 1 DP257106). The locality plan can be viewed at **Attachment 1**.*

The matter is reported to Council in accordance with the 'Delegations of Authority' for the General Manager, Section 3(b)(iii), due to the estimated cost of works exceeding \$5,000,000. The cost of works summary submitted with the application nominates the estimated cost of works for the development as \$5,160,618.

The development is located within a site suitably zoned for the proposal and is of a size able to cater for such development. The development is compatible with the existing character, bulk, scale, and massing of the existing built form across the site without impeding on the amenity of surrounding residential dwellings. The proposal will not have any negative social or economic impacts. The proposal is consistent with the requirements of all relevant sections of Maitland LEP 2011 and Maitland DCP 2011.

The application has been assessed against the relevant heads of consideration under Section 4.15(1) in the Environmental Planning and Assessment Act 1979 and considered to be satisfactory subject to the imposition of conditions.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST
MAITLAND (Cont.)

OFFICER'S RECOMMENDATION

THAT

1. **DA/2024/431 for Alterations and Additions to Registered Club at 23 Banks Street East Maitland is approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

Introduction

The purpose of this report is to seek consent from Council for DA/2024/431 proposing Alterations and Additions to Registered Club. The development plans can be viewed within **Attachment 2** of this report. The application is reported to Council as the cost of works for the proposed development nominated at \$5,160,618 exceeds the delegations afforded to Council officers. A detailed assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* is provided within **Attachment 3**.

SITE DESCRIPTION

The site comprises of three allotments known as 23 Banks Street East Maitland and has a legal description of Lot 1 DP257106, Lot 397 DP 755237 and Lot 21 in DP1019387. The site is irregular in shape and has a total site area of approximately 1.2ha. The site is bordered by Banks Street to the southeast and Grant Street to the northwest. King Edward Park is to the southwest and King Edward Oval to the northeast. The site is zoned RE2 Private Recreation in which 'registered clubs' are permitted with consent. The site is located within the East Maitland Heritage Conservation Area and is mapped as flood prone land. The location of the site is represented in **Attachment 1**, Locality Plan and Figure 1 below.

The site is operated as East Maitland Bowling Club and is currently occupied and used as a bowling club. The site includes a large club facility, located at the south-western portion of the site fronting Banks Street, and flanked by three bowling greens to the north and east and a large two-storey car park to the eastern boundary. Vehicle access to the site and its associated carpark is gained via Banks Street (south) with the carpark exit at the Grant Street frontage (north). The site is located within an urban environment, in proximity to New England Highway and is therefore located adjacent to a diverse mix of land uses including commercial developments, light industrial uses to the north, parks and open fields to the east and west and residential development along the opposite side of Banks Street to the south.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST
MAITLAND (Cont.)



Figure 1: aerial image of site (source: Maitland City Council)

PROPOSAL

The development application proposes the alterations and additions to a registered club. The proposed works include:

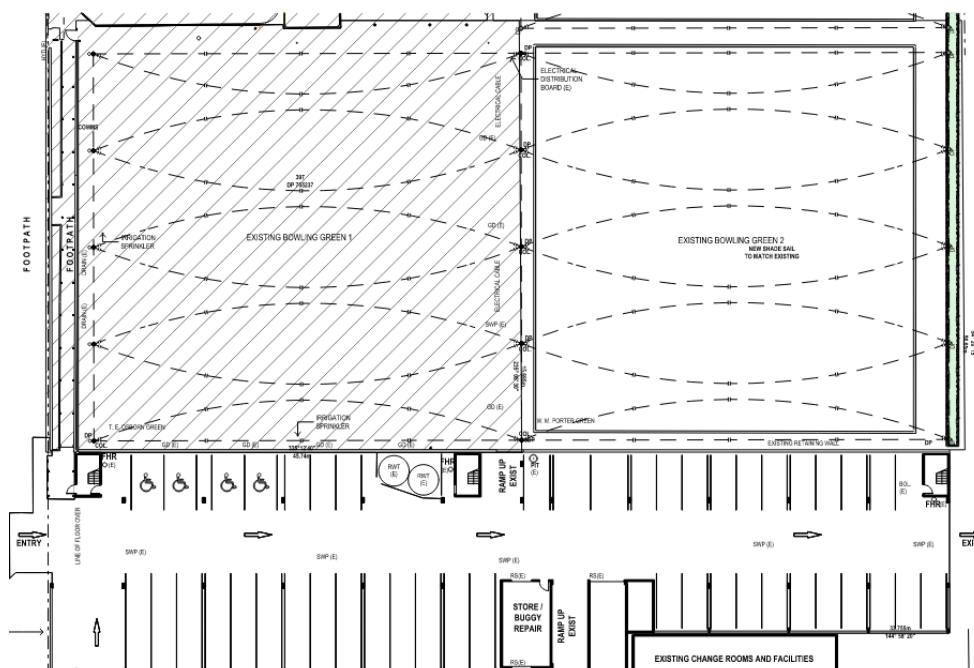
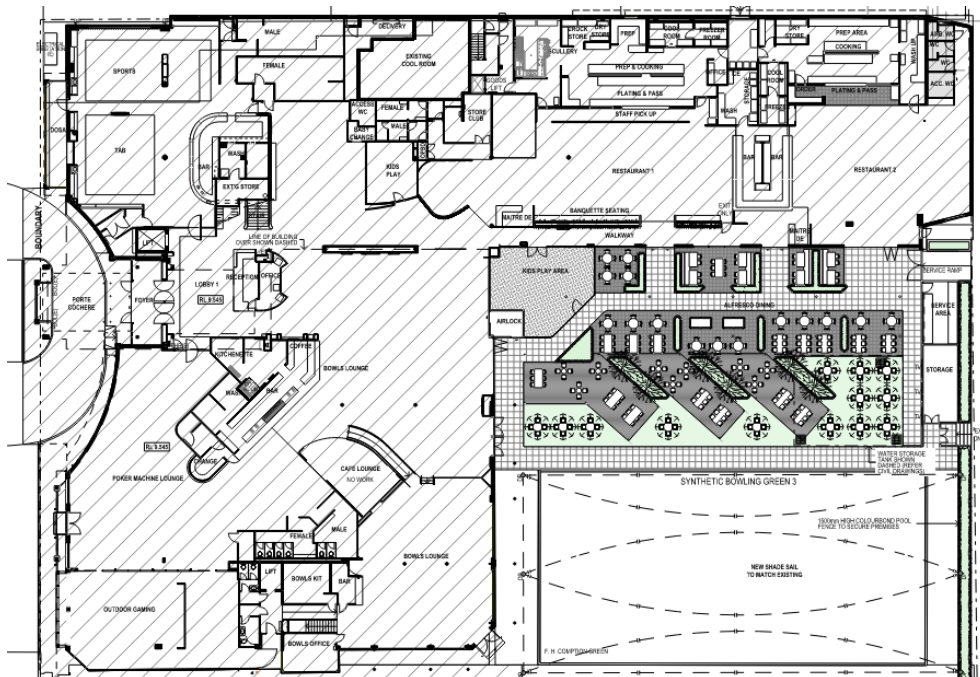
- Demolition of half of synthetic bowling green '3', including removing fixed seating and shading devices.
- Erection of new covered outdoor seating area with single-storey storage and service building along the Grant Street elevation.
- New openings to the eastern elevation of the building to facilitate better access to the new outdoor seating area.
- New weatherproof shade canopy over remaining uncovered bowling greens '2' and the remaining bowling green '3' to a maximum height of 7.3m constructed of metal support columns and canvas fabric.
- New external lighting to bowling greens.
- Comprehensive landscaping across the site including screen planting along the Grant Street frontage.
- Associated stormwater works.

The application does not propose any changes to the existing operational management of the registered club. Development Plans can be viewed in **Attachment 3** of this report.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST
MAITLAND (Cont.)



Figure 2: proposed Grant Street elevation (source: EJE, 22/07/2024)



KEY ISSUES**Parking**

Maitland DCP 2011 sets out car parking rates for registered clubs at one space per 10m² of public or licensed floor area (bar, lounge, dining room, games room). Maitland DCP 2011 also requires 30 car parking spaces for the first bowling green and 15 spaces for each additional green. The existing approved development includes a licensed floor area of approximately 3,350m² with additional function centres on the first floor and includes the operation of three bowling greens requiring a total of 395 car parking spaces. The proposed works reduces the third bowling green by half to create a new outdoor area with seating, a children play area, and a storage/service area adding 790m² to the licensed floor area but no additional club floor area. Further, Maitland DCP 2011 states that where existing premises are being extended to create additional floor space, the additional parking requirement shall be calculated on the basis of the increased floor space. The additional 790m² of licensed floor area has been broken down into the following:

- 500m² covered open area (assumed 50% usage based on people choosing to sit in this area instead of inside on a fine day and not during bad weather)
- 170m² – open area subject to the impact of weather (assume 50% usage)
- 70m² – children's play area, considered ancillary.

As such, an additional demand of 34 car parking spaces must be considered.

A total of 152 car parking spaces have been provided within the development, with an additional 51 car parking spaces on the opposite side of Banks Street in the bowling club's open-air carpark. The existing car parking arrangements are not proposed to be amended. A parking survey conducted on Saturday 6 and Sunday 7 April 2024, found peak demand at 6:00pm on Saturday with 78 out of 152 spaces occupied, indicating a 56% usage rate. On-street parking demand also peaked at 6:00pm on Saturday, with 121 occupied spaces and 66 vacant spaces. The existing car parking operates satisfactorily with ample capacity. The additional demand of 34 spaces can be accommodated. As the development is currently operating at a car parking deficiency, and the works propose a negligible increase in total floor area across the site, a variation to the car parking rates is necessary and supportable.

Noise

A Noise Impact Assessment (NIA) report by Reverb Acoustics dated May 2024 which was submitted with the application, followed guidelines from various authorities including the Independent Liquor and Gaming Authority (ILGA), the NSW Environment Protection Authority (EPA), and Australian Standard AS 1055:2018. The report reviewed residential receivers near the project, using a noise logger to capture background noise levels. Predictions showed compliance with maximum noise levels from operational sources like patrons and music, meeting ILGA criteria. Proposed noise controls include restricting amplified entertainment, using specific absorbent material in the shade structure, time limiting use of outdoor areas and displaying signs for noise minimisation are recommended noise management requirements. The development does not seek to

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST
MAITLAND (Cont.)

change current operating hours. Recommended consent conditions will ensure compliance with relevant noise policies and recommendations from the NIA.

Bulk and Scale

The proposed shade structure, up to 7.36m high, may have some visual impact but has been designed to complement existing structures and surroundings. The lightweight canvas material and curvature in the design reduce dominance, with additional landscaping providing relief. Adequate building separation and overshadowing diagrams support minimal impact on adjoining properties' amenity and privacy.

External Lighting

The proposed works include the installation of new external lighting. To ensure that the proposed lighting provided to all open areas, including the new bowling greens, does not adversely impact the surrounding properties and residents, recommended conditions of consent require all external lighting to be installed in accordance with the requirements of AS/NZS 1158.3.1, AS 4282, and all other applicable standards.

PUBLIC SUBMISSIONS

The proposal was publicly notified/advertised for a period of 14 days in accordance with the Environmental Planning and Assessment Act 1979 and the Maitland Development Control Plan 2011. During this time, no submissions were received.

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

Statutory implications relating to assessment of the subject application have been addressed in the body of the report under **Attachment 3**.

CONCLUSION

An assessment of the application has been undertaken against Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and is provided under **Attachment 3**. The proposed development is considered acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval subject to the recommended condition contained within **Attachment 4**.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST
MAITLAND (Cont.)

Officers Reports

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND

Locality Plan

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 1

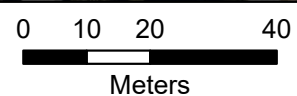
DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaaf, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, Maitland City Council, Spatial Services, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Foursquare, HERE, NASA, USGS



© Maitland City Council 2024
© NSW Spatial Services 2024
© Nearmap 2024



This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time. It is the responsibility of the user to make their own decision about the information found. The Council cannot warrant and does not represent that the advice can be relied on completely. The Council also cannot accept any responsibility, or liability for any loss, damage, cost or expense you might incur as a result of the use of or reliance upon the information. The map is for information purposes only and is not to be re-engineered, modified or used for any other purpose than for information.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Officers Reports

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND

Development Plans

Meeting Date: 27 August 2024

Attachment No: 2

Number of Pages: 16

ARCHITECTURAL DRAWING SCHEDULE

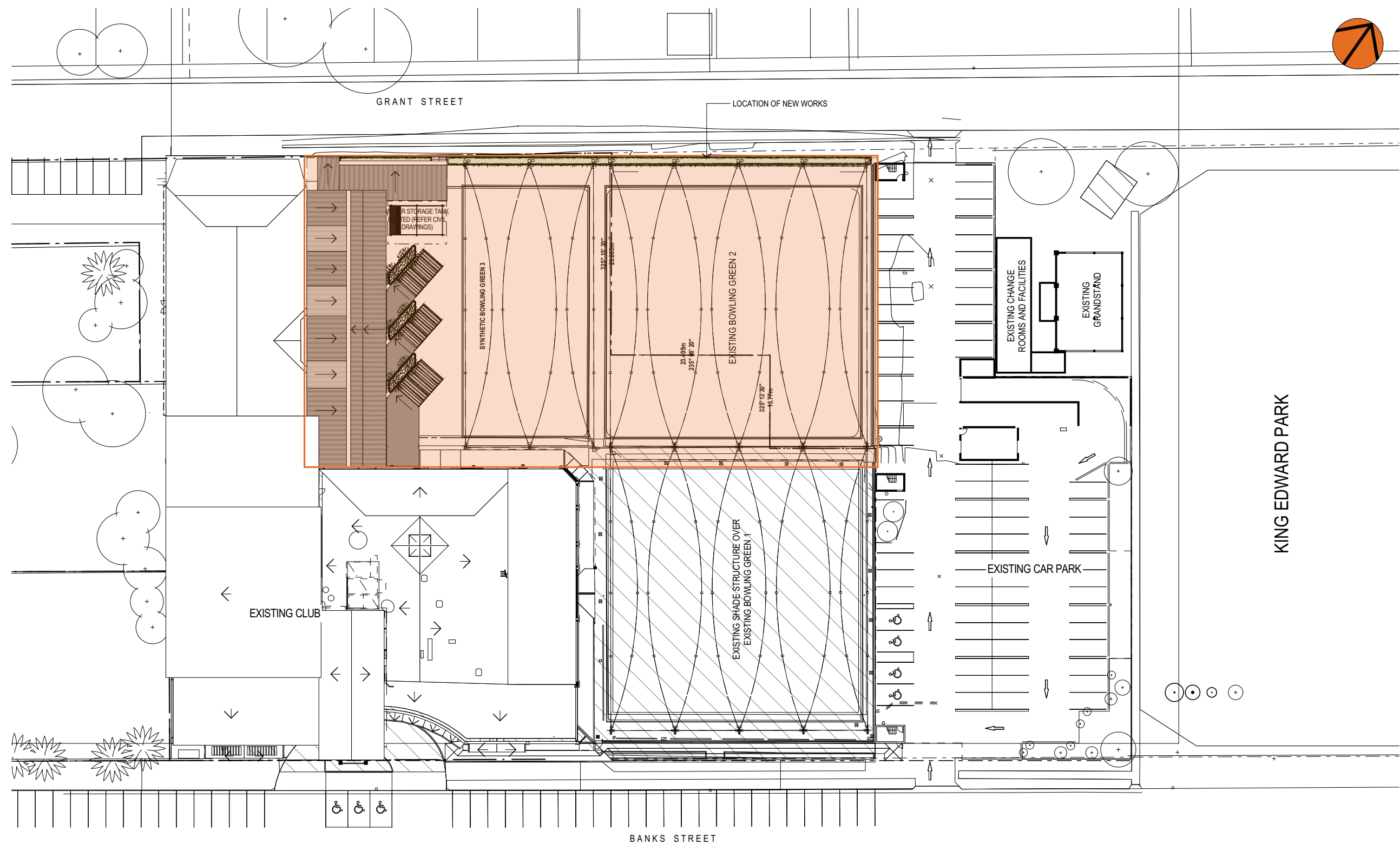
A00	COVER SHEET
A101	SITE PLAN
A102	SITE ANALYSIS PLAN
A103	GROUND FLOOR DEMOLITION PLAN
A104	GROUND FLOOR PLAN PAGE 1
A105	GROUND FLOOR PLAN PAGE 2
A106	DETAILED GROUND FLOOR PLAN
A107	ROOF PLAN PAGE 1
A108	ROOF PLAN PAGE 2
A109	DETAILED ROOF PLAN
A110	NORTH & EAST ELEVATION
A111	SOUTH & WEST ELEVATION
A112	SECTION A-A & B-B
A113	A10 SHADOW DIAGRAMS
A116	3D PERSPECTIVES
A117	SCHEDULE OF MATERIALS



EMBC NEW OUTDOOR AREA
23 Banks Street East Maitland NSW 2323 Awabakal



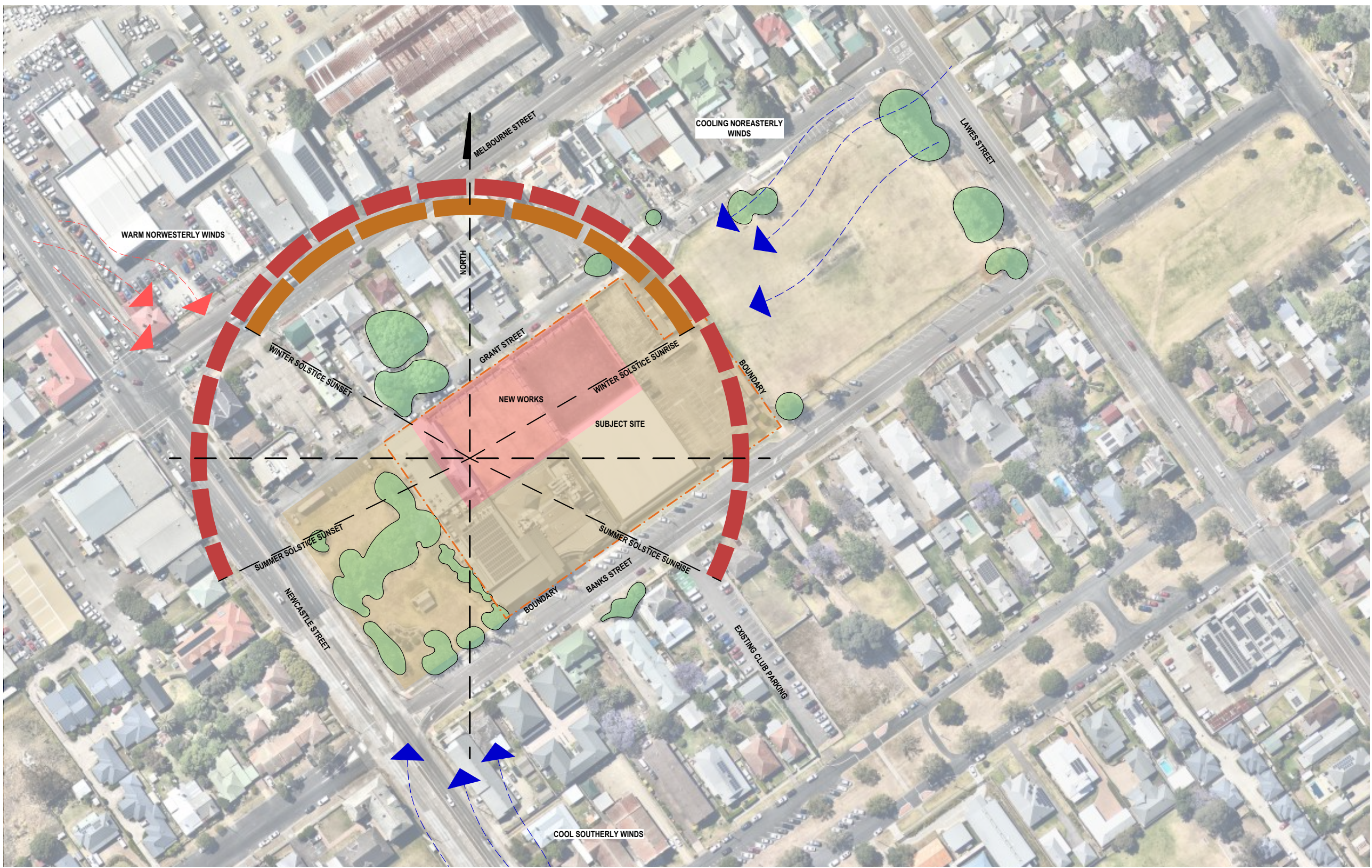
DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND (Cont.)



EMBC NEW OUTDOOR AREA : SITE PLAN

14798 - A101 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

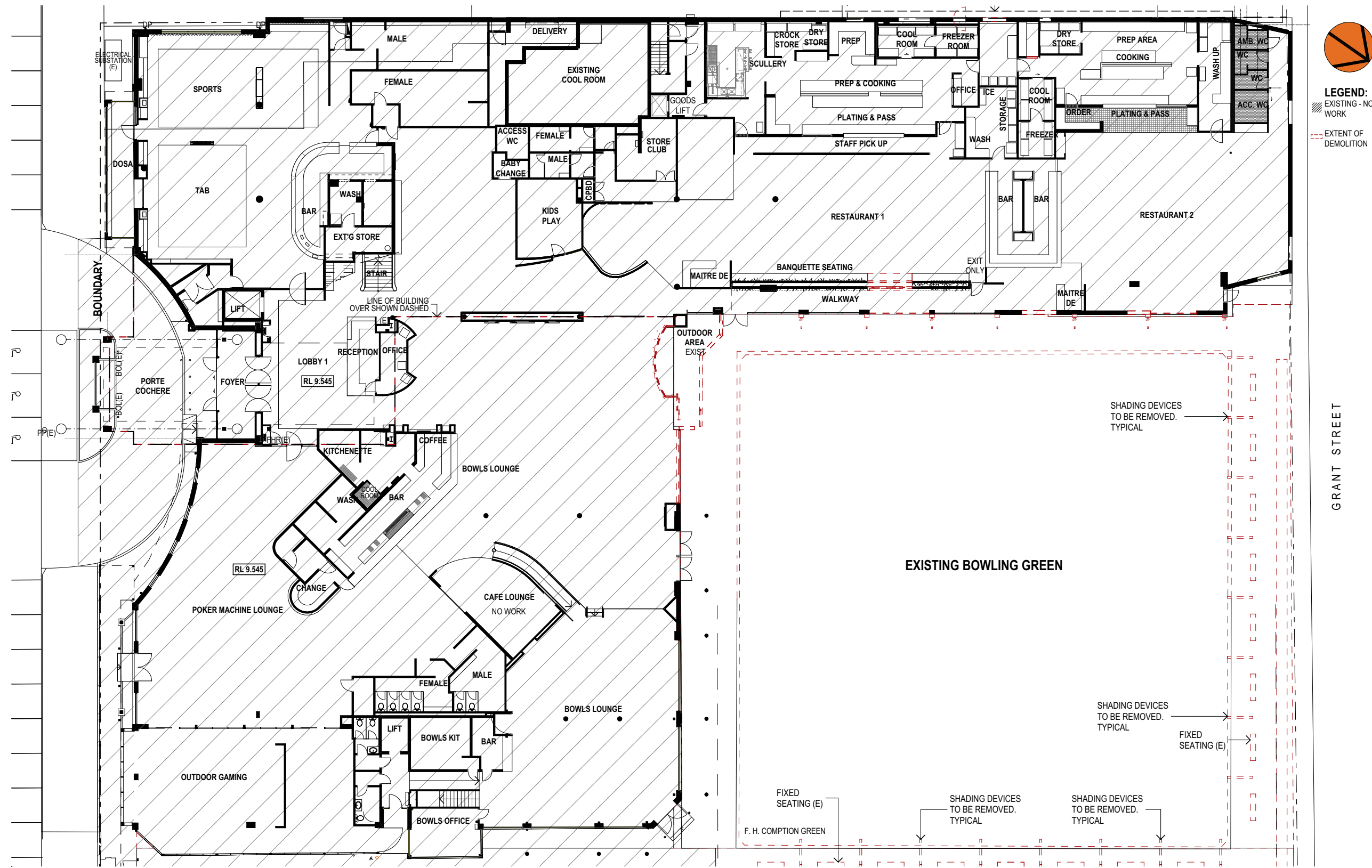
EJE Integrity
Innovation
Inspiration



EMBC NEW OUTDOOR AREA : SITE ANALYSIS PLAN

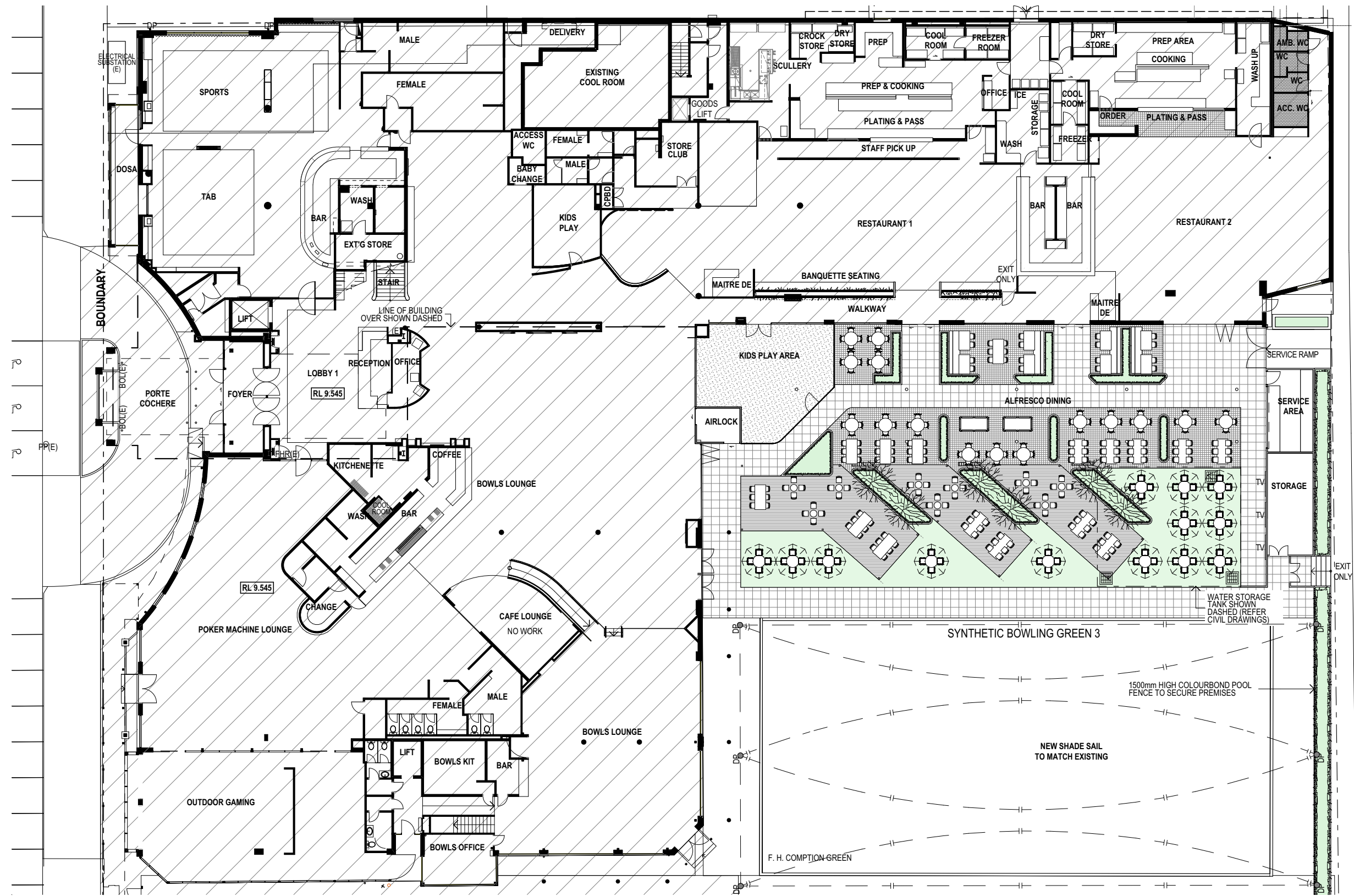
14798 - A102 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)





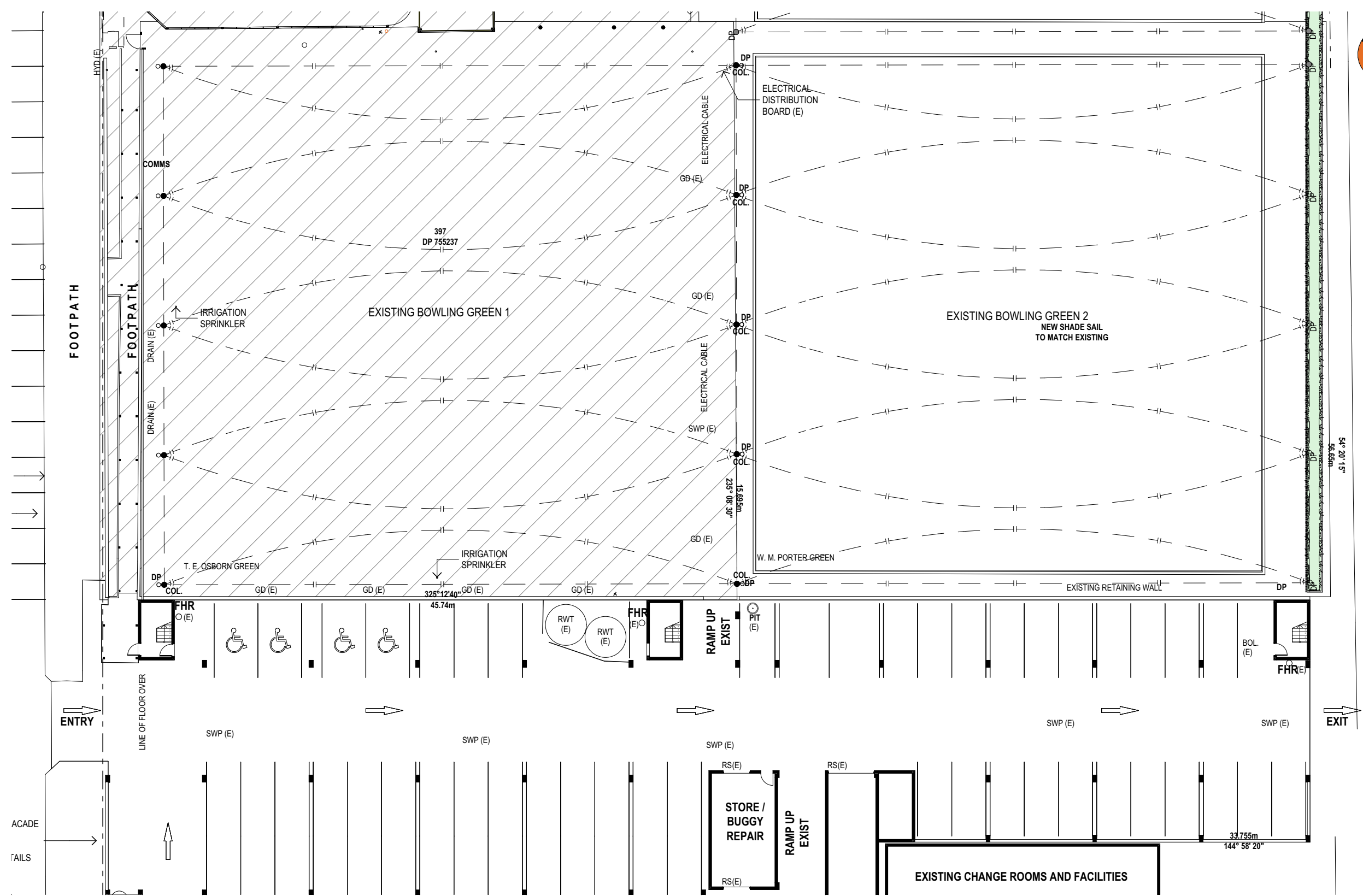
EMBC NEW OUTDOOR AREA : GROUND FLOOR DEMOLITION PLAN

14798 - A103 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)



EMBC NEW OUTDOOR AREA : GROUND FLOOR PLAN PAGE 1

14798 - A104 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

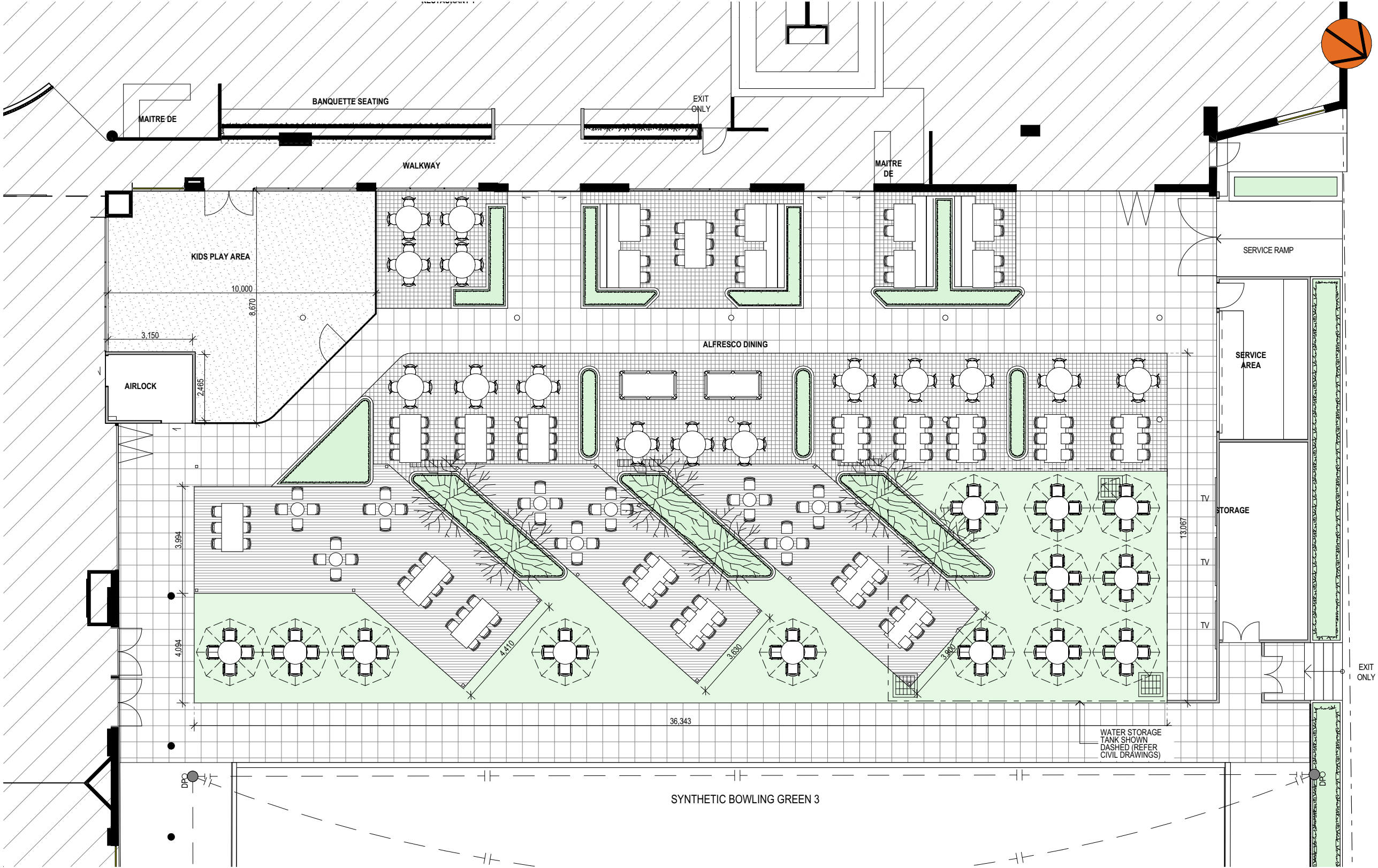


EMBC NEW OUTDOOR AREA : GROUND FLOOR PLAN PAGE 2

14798 - A105 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

1:250 @ A3



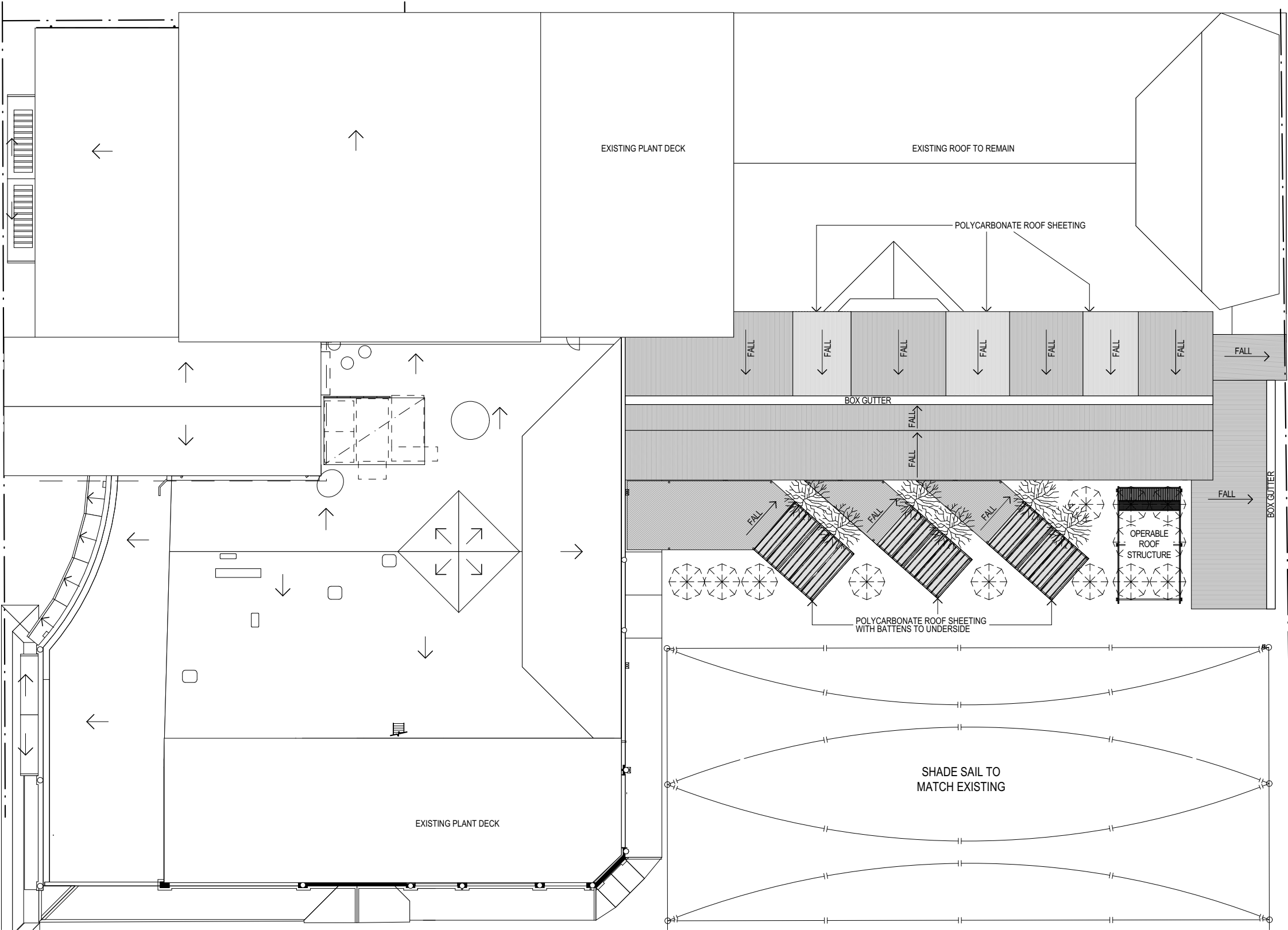


EMBC NEW OUTDOOR AREA : DETAILED GROUND FLOOR PLAN

14798 - A106 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

1:125 @ A3



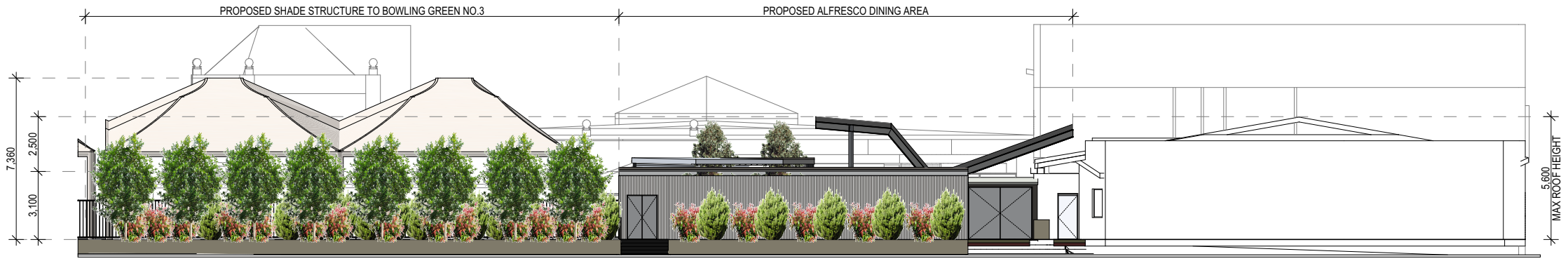


EMBC NEW OUTDOOR AREA : ROOF PLAN PAGE 1

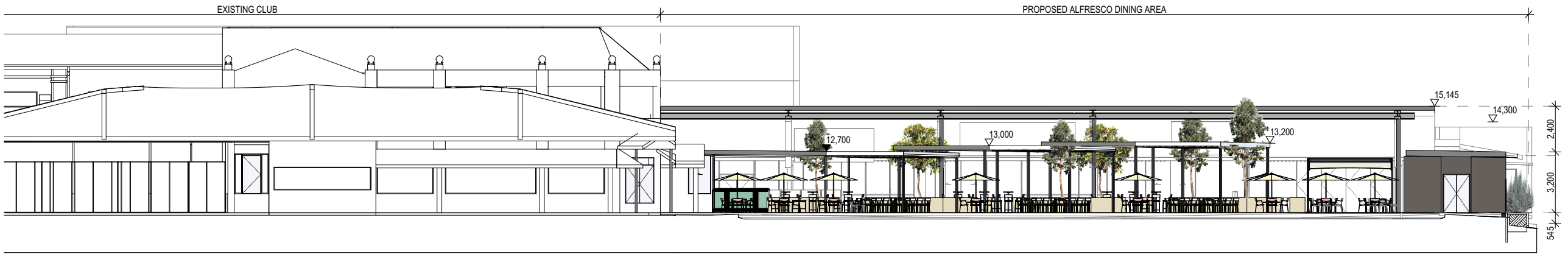
14798 - A107 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

0 10000 20000 100mm ON ORIGINAL A3 1:250 @ A3

EJE Integrity
Innovation
Inspiration



NORTH ELEVATION (GRANT STREET)



EAST ELEVATION

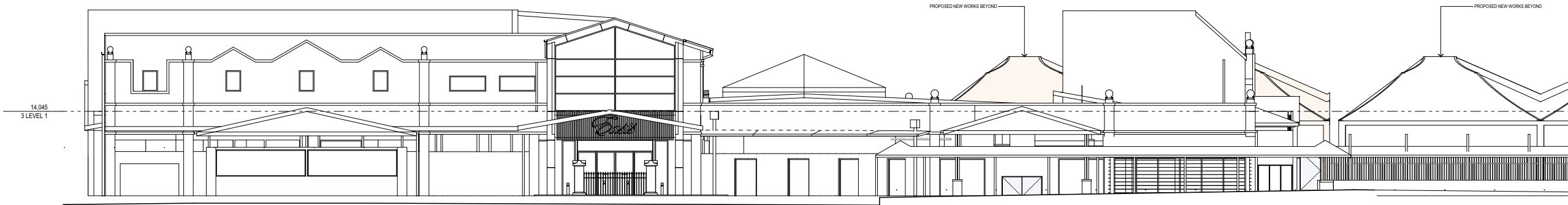
EMBC NEW OUTDOOR AREA : NORTH & EAST ELEVATION

14798 - A110 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

0 10000 20000 100mm ON ORIGINAL A3 1:200 @ A3

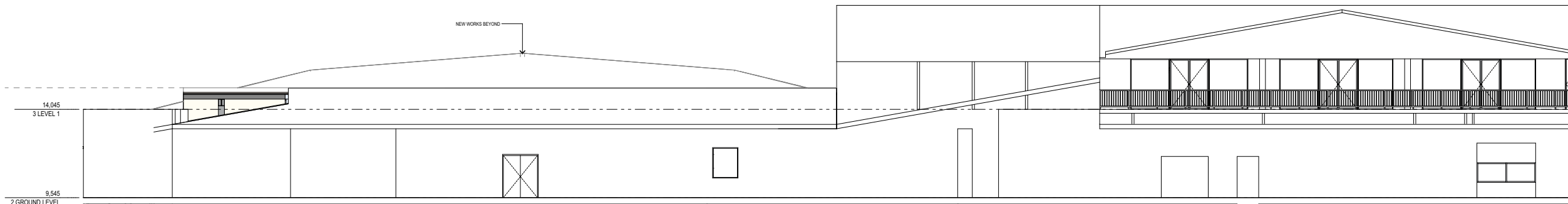
EJE Integrity
Innovation
Inspiration

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND (Cont.)



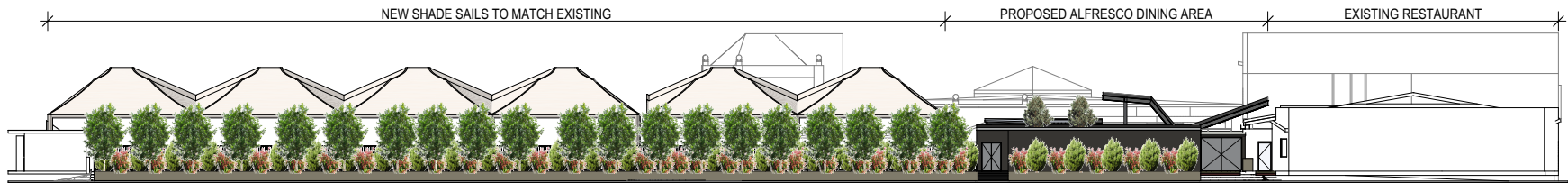
E-03

SOUTH ELEVATION (BANKS STREET)



E-04

WEST ELEVATION



OVERALL NORTH ELEVATION (GRANT STREET)

1:400

EMBC NEW OUTDOOR AREA : SOUTH & WEST ELEVATION

14798 - A111 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)

0 10000 20000 100mm ON ORIGINAL A3 1:200 @ A3





EMBC NEW OUTDOOR AREA : 3D PERSPECTIVES

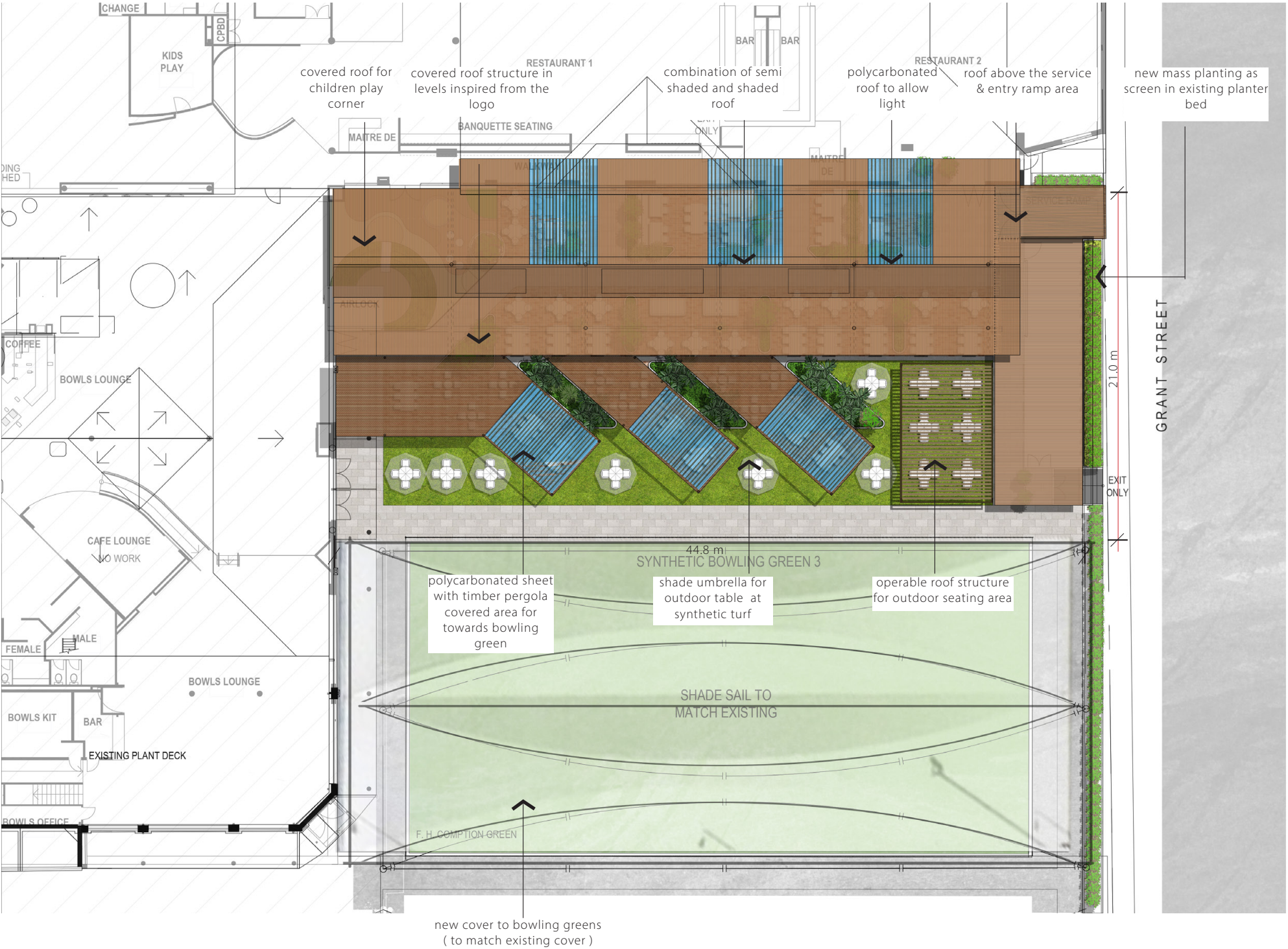
14798 - A116 - Rev 02 - WIP - 22 July 2024
Confidential. Copyright EJE Architecture. Nominated Architect - Bernard Collins No. 4438 (NSW ARB)



development application

landscape layout: outdoor roof

L03



G	25/06/24	SCREEN PLANTING
F	02/05/24	LAYOUT REV
E	15/03/24	DA REV
D	05/12/23	REVISED OPTION
C	27/11/23	REVISED OPTION
B	30/10/23	REVISED OPTIONS
A	26/10/23	SKETCH OPTIONS
REV	DATE	COMMENTS

PROJECT:
East Maitland Bowling Club

DRAWING:
Landscape concept

SITE:
Banks Street, East Maitland

CLIENT:
East Maitland Bowling Club

DRAWN: MA/KH DATE: 25/06/24 SCALE:
JOB NUMBER: 14798.5 PHASE: DA DWG No: L03 REV: G

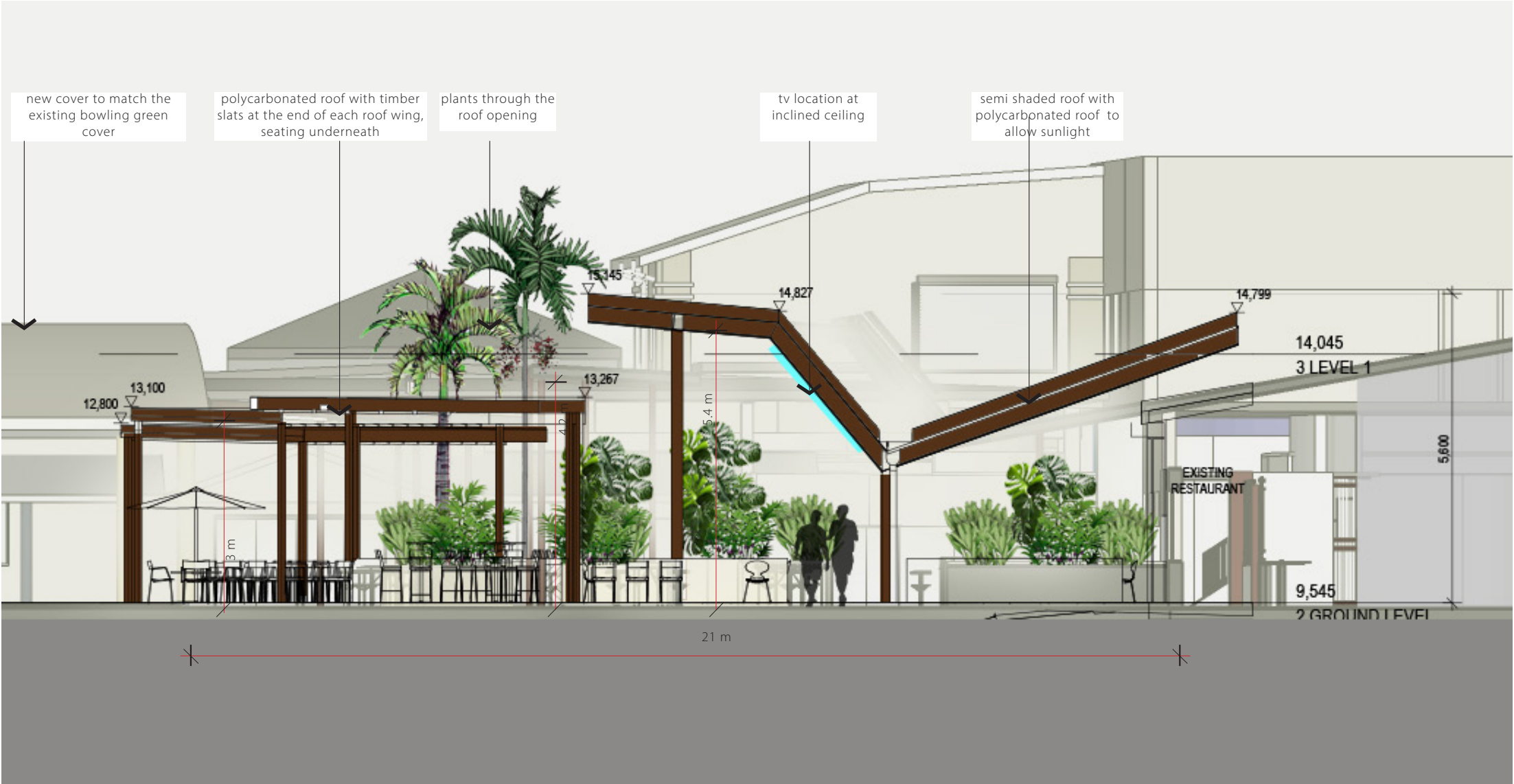

terras
landscape architects
412 KING STREET NEWCASTLE NSW AUSTRALIA 2300
TERRAS.COM.AU PH: 49 294 926 FAX: 49 263 069



development application

section through the outdoor seating area

L06



section of proposed outdoor seating area

G	25/06/24	SCREEN PLANTING
F	02/05/24	LAYOUT REV
E	15/03/24	DA REV
D	05/12/23	REVISED OPTION
C	27/11/23	REVISED OPTION
B	30/10/23	REVISED OPTIONS
A	26/10/23	SKETCH OPTIONS
REV	DATE	COMMENTS

PROJECT:
East Maitland Bowling Club

DRAWING:
Landscape concept

SITE:
Banks Street, East Maitland

CLIENT:
East Maitland Bowling Club

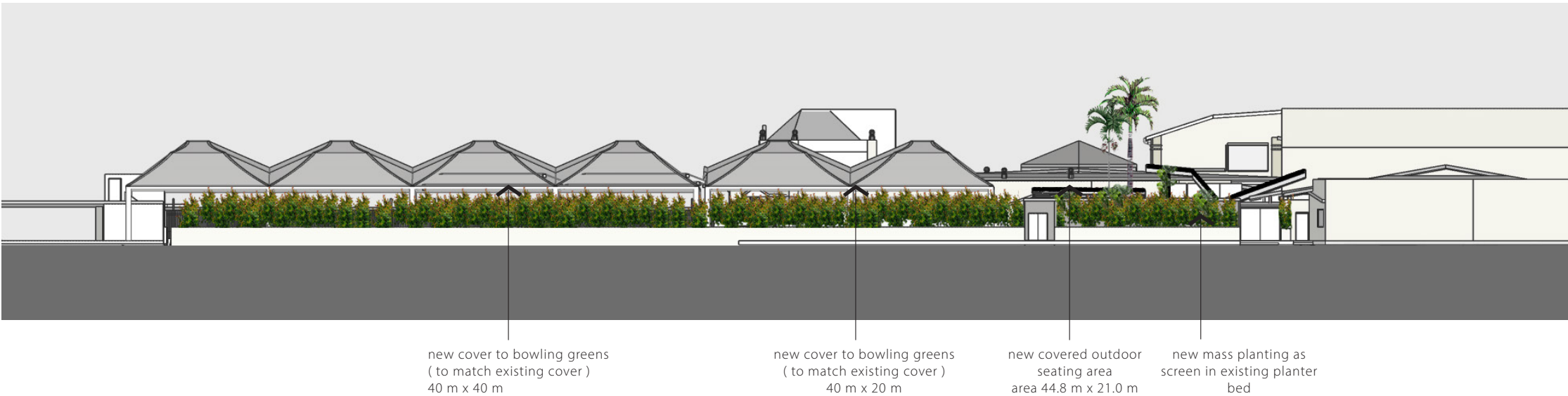
DRAWN: MA/KH DATE: 25/06/24 SCALE:
JOB NUMBER: 14798.5 PHASE: DA DWG No: L06 REV: G


terras
landscape architects
412 KING STREET NEWCASTLE NSW AUSTRALIA 2300
TERRAS.COM.AU PH: 49 294 926 FAX: 49 263 069

development application

elevation from Grant sr

L07



G	25/06/24	SCREEN PLANTING
F	02/05/24	LAYOUT REV
E	15/03/24	DA REV
D	05/12/23	REVISED OPTION
C	27/11/23	REVISED OPTION
B	30/10/23	REVISED OPTIONS
A	26/10/23	SKETCH OPTIONS
REV	DATE	COMMENTS

PROJECT:
East Maitland Bowling Club

DRAWING:
Landscape concept

SITE:
Banks Street,East Maitland

CLIENT:
East Maitland Bowling Club

DRAWN: MA/KH DATE: 25/06/24 SCALE:
JOB NUMBER: 14798.5 PHASE: DA DWG No: L07 REV: G

Plant schedule: Screen planting along Grant St

Mass planting

No.	Botanical Name	Common Name	Mature Height	Mature Spread	Pot size
01	<i>Syzygium Resilience</i>	Lily pily	3 m	2 m	300 mm
02	<i>Philodendron Xanadu</i>	Xanadu	1.5 m	1 m	200 mm

Mass planting -low

03	<i>Senecio serpens</i>	Blue Chalk Sticks	0.1 m	0.6 m	140 mm
04	<i>Dichondra argentea</i>	Silver falls	0.05 m	0.8 m	140 mm



development application

L08



existing - along Grant street



proposed - along Grant street

G	25/06/24	SCREEN PLANTING
F	02/05/24	LAYOUT REV
E	15/03/24	DA REV
D	05/12/23	REVISED OPTION
C	27/11/23	REVISED OPTION
B	30/10/23	REVISED OPTIONS
A	26/10/23	SKETCH OPTIONS
REV	DATE	COMMENTS

PROJECT:
East Maitland Bowling Club

DRAWING:
Landscape concept

SITE:
Banks Street, East Maitland

CLIENT:
East Maitland Bowling Club

DRAWN: MA/KH DATE: 25/06/24 SCALE:
JOB NUMBER: 14798.5 PHASE: DA DWG No: L08 REV: G


terras
landscape architects

412 KING STREET NEWCASTLE NSW AUSTRALIA 2300
TERRAS.COM.AU PH: 49 294 926 FAX: 49 263 069

Officers Reports

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND

Assessment Report

Meeting Date: 27 August 2024

Attachment No: 3

Number of Pages: 13

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)



DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application No:	DA/2024/431
Proposal:	Alterations and Additions to Registered Club
Address:	Banks Street EAST MAITLAND NSW 2323
Lot & DP No:	21/1019387, 397/755237, 1/257106
Property No:	38566 36791 36790
Site Constraints	East Maitland Heritage Conservation Area Flood prone
Applicant:	Julie Garratley
Owner:	East Maitland Bowling Club Ltd
Author:	Thomas Howell
Site Inspection:	12 June 2024

INTRODUCTION

The purpose of this report is to provide a detailed discussion and assessment of Development Application No. DA/2024/431 proposing Alterations and Additions to Registered Club. The assessment will provide consideration of the proposal under the *Environmental Planning and Assessment Act 1979*, the Maitland Local Environmental Plan 2011, the Maitland Development Control Plan 2011 and any other relevant legislation, guidelines and policies of the Council.

Description of Proposed Development

The development application proposes the alterations and additions to a registered club. The proposed works include:

- Demolition of half of synthetic bowling green '3', including removing fixed seating and shading devices.
- Erection of new covered outdoor seating area with single-storey storage and service building along the Grant Street elevation.
- New openings to the eastern elevation of the building to facilitate better access to the new outdoor seating area.
- New weatherproof shade canopy over remaining uncovered bowling greens '2' and the remaining bowling green '3' to a maximum height of 7.3m constructed of metal support columns and canvas fabric.
- New external lighting to bowling greens.
- Comprehensive landscaping across the site including screen planting along the Grant Street frontage.
- Associated stormwater works.

The application does not propose any changes to the existing operational management of the registered club.

Amended plans were provided 22 July 2024 in response to Council's concerns regarding stormwater drainage management and the schedule of planting proposed as landscaping along the Grant Street elevation. The following assessment is based on these plans.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Description of the Land on which the proposal is to be carried out.

The site comprises of three allotments known as 23 Banks Street East Maitland and has a legal description of Lot 1 DP257106, Lot 397 DP 755237 and Lot 21 in DP1019387. The site is irregular in shape and has a total site area of approximately 1.2ha. The site is bordered by Banks Street to the southeast and Grant Street to the northwest. King Edward Park is to the southwest and King Edward Oval to the northeast. The site is zoned RE2 Private Recreation in which 'registered clubs' are permitted with consent. The site is located within the East Maitland Heritage Conservation Area and is mapped as flood prone land. The location of the site is represented in Figure 1 below.

The site is operated as East Maitland Bowling Club and is currently occupied and used as bowling club. The site includes a large club facility, located at the south-western portion of the site fronting Banks Street, and flanked by three bowling greens to the north and east and a large two-storey car park to the eastern boundary. Vehicle access to the site and its associated carpark is gained via Banks Street (south) with the carpark exit at the Grant Street frontage (north). The site is located within an urban environment, in proximity to New England Highway and is therefore located adjacent to a diverse mix of land uses including commercial developments, light industrial uses to the north, parks and open fields to the east and west and residential development along the opposite side of Banks Street to the south.

The site is relatively flat.



Figure 1: aerial image of site (source: Maitland City Council)

A site inspection was undertaken **12 June 2024** as seen in the images below:

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)



Photo 1: existing frontage to Grant Street



Photo 2: existing exit to car park

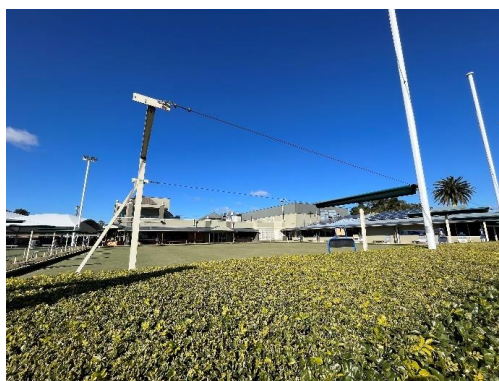


Photo 3: existing bowling green '3' approximate location of proposed works



Photo 4: approximate location of additions along Grant Street

PREVIOUS DEVELOPMENT HISTORY

The table below provides a consent history and background context that is a relevant consideration in the assessment of the application.

Previous Consent History			
DA No.	Description of Development	Date Determined	Decision Approved/Refused
DA97/0673	Erection Of Tooheys Sign	21/07/1997	Approved
BA98/0712	Proposed BBQ Enclosure	4/06/1998	Approved
DA98/0959	Extensions To Existing Bowling Club	9/11/1998	Approved
DA98/0710	Construction Of Single Deck Carpark	9/11/1998	Approved
BA98/1965	Alterations And Additions To Existing Club	24/12/1998	Approved
DA01/2925	Alterations To Existing Club- Internal Renovations	22/02/2002	Approved
DA01/2925	Alterations To Existing Club- Internal Renovations	22/02/2002	Approved
DA02/0534	Demolish Greenkeepers Shed and Relocate	6/03/2002	Approved
DA05/0397	Extensions to Licensed Club	23/08/2005	Approved
DA06/0924	Internal Alterations to Club	3/07/2006	Approved
DA06/2163	Place Of Public Entertainment	15/12/2006	Approved

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

DA09/1182	Additions to Existing Bowling Club - Extension to Existing Outdoor Gaming Area and Relocation of Amenities	28/08/2009	Approved
CC09/1183	Additions to Existing Bowling Club - Extension to Existing Outdoor Gaming Area and Relocation of Amenities	28/08/2009	Approved
I09/1367	Outdoor Gaming Area & New Amenities	4/12/2009	
DA09/1182:1	Section 96 to Amend Fencing Detail in Association with Approved Outdoor Gaming Facility and Install Security Trellis	5/01/2011	S96 Approved
DA12/1908	Alterations & Additions to Existing Registered Club (New Shade Structure over Bowling Green and Additional Car Parking Level above Existing Car Park)	31/10/2012	Approved
DA12/1908	Alterations & Additions to Existing Registered Club (New Shade Structure over Bowling Green and Additional Car Parking Level above Existing Car Park)	31/10/2012	Approved
DA13/0382	Alterations/Additions to Existing Recreation Facility - East Maitland Bowling Club	10/07/2013	Approved
DA13/1622	Internal Alterations to Existing Recreation Facility - East Maitland Bowling Club	30/07/2013	Approved
I14/0178	Shade Structure over Existing Bowling Green	11/02/2014	Approved
DA13/0382:1	Section 96 Modification - Reduce Footprint & Modify Elevation of Approved Additions to Existing Recreation Facility	4/07/2014	S96 Approved
DA16/1744	Washdown Facility Ancillary to Approved Recreation Facility (Bowling Club)	15/11/2016	Approved

PLANNING ASSESSMENT - 4.15(1) matters for consideration

Development Type

- Under *Environmental Planning and Assessment Act 1979* ("EP&A Act") the development is classified as Local Development.

Contributions

- The proposal attracts a contribution of **\$51,606** under Council's current adopted Section 7.12 Plan.

Section 4.15(1)(a)(i) - Provisions of any environmental planning instrument

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Chapter 4 – Remediation of land

Clause 4.6 provides that prior to granting consent to the carrying out of any development on land the consent authority is required to give consideration as to whether the land is contaminated and, if the land is contaminated, whether the land is suitable for the purpose of the development or whether remediation is required.

The proposed development site has no previous record of contamination, nor is it listed on the NSW list of contaminated and notified sites, published by the EPA. The land is not within an investigation area, nor are there any records of potentially contaminating activities occurring on the site. The proposed use is not listed as a possible contaminating use, per Table 1 of the Guidelines. As such, the site is considered suitable for to the proposed development and contaminated land investigation is not warranted in this instance.

A condition has been imposed requiring that any unexpected finds being found on site during works be assessed for being potentially contaminating. If potential contamination is encountered, site works will be ceased, and suitable environmental consultant will be engaged for assessment.

Maitland Local Environmental Plan 2011

Clause 2.3 – Zone objectives and Land Use Table

The subject land is zoned RE1 Private Recreation under the Maitland Local Environmental Plan 2011 (LEP). The proposed development is defined as 'registered club' under the LEP which is a type of development permitted with consent.

The objectives of the zoning:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

The proposed development provides for the continued operations of the East Maitland Bowling Club which is consistent with the zone objectives. There are no significant changes to the land use, or operational elements of the site as a result of the proposed development, as such, there are no anticipated adverse impacts on the amenity of surrounding land uses.

Clause 2.7 – Demolition requires development consent

The proposal includes demolition works to a portion of the existing building on the site. Conditions are recommended to require that demolition works, and the disposal of material is managed appropriately and in accordance with relevant standards.

Clause 5.10 – Heritage conservation

The subject site is located within the East Maitland Heritage Conservation Area ("HCA"), which is listed as item C3 under Schedule 5 of Maitland LEP 2011. The site is also in proximity to several local heritage items including: 'shops' (I69 and I70) at 82, 90-92 Melbourne Street to the north and Red Lion Inn (I25) at 40 Banks Street and Mathew Talbot Hostel (I24) at 36 Banks Street to the south.

The objectives of Clause 5.10 are as follows: -

- (a) *to conserve the environmental heritage of Maitland,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Prior to granting consent, Council as the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.

The proposed development is consistent with the objectives of this clause, to conserve the environmental heritage of Maitland and the heritage significance of heritage conservation areas, including associated fabric, setting and views, for the following reasons:

- The proposed development retains the existing built form addressing both streetscapes with minor additions to the Grant Street elevation including a small single-storey building, shade structure and landscaping works. The existing building has little to no heritage value.
- Significant views to heritages items will not be impacted.
- The setting of adjoining contributory buildings will not be impacted.
- The property is not identified as containing an Aboriginal site.

The consent authority has considered the effect of the proposed development through this assessment. It is considered that the proposed development will not have any adverse impact on the heritage significance of the heritage conservation area or its associated fabric, setting and views, and can be supported in respect of heritage matters.

Clause 5.21- Flood planning

The subject site is mapped as being within the flood planning area. The existing building is primarily located above the 1% Annual Exceedance Probability ("AEP"). However, the remaining site, including the bowling greens, are sited within the 1%AEP with a flood planning level ("FPL") of 10.22mAHD. The existing finished floor level of the building is 9.47mAHD (noting most of which is located outside the 1%AEP) and remains unchanged by the proposed works. As the development works are restricted to upgrades to the existing building with the operation of the venue to remain unchanged, it is considered that there is no anticipated increase in flood risk to life and property or change in flood characteristics as a result of the development.

Clause 7.1 – Acid sulfate soils

The subject site is not identified as containing Acid Sulfate Soils (ASS).

Clause 7.2 - Earthworks

The level of earthworks proposed to facilitate the development is acceptable having regard to this clause. The design suitably minimises the extent of proposed earthworks, having regard to the existing topography.

Section 4.15(1)(a)(ii) - Any draft environmental planning instrument that is or has been placed on public exhibition

- There are no draft environmental planning instruments applicable to this proposal.

Section 4.15(1)(a)(iii) - Any development control plan

Maitland Development Control Plan 2011 (DCP)

The following chapters of the Maitland DCP are relevant to the assessment of the proposal:

- Part A – A.4 Notification
- Part B – B.3 Hunter River Floodplain, B.6 Waste Not – Site Waste Minimisation & Management
- Part C – C.1 Accessible Living, C.5 Heritage Conservation, C.11 Vehicular Access and Parking, C.12 – CPTED
- Part E – 3. East Maitland Heritage Conservation Area.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND (Cont.)A.4 – Notification

The application was placed on public exhibition for a period of 14 days from 5 June 2024 to 19 June 2024 in accordance with the *EP&A Act*, *EP&A Regs* and Maitland Development Control Plan ("DCP") 2011. During this time no submissions were received.

B.3 – Hunter River Floodplain

The development is affected by flooding, with the site requiring an FPL of 10.22mAHD. The development maintains a finished ground floor level of 9.3mAHD. It is noted that whilst the works are below the FPL, the proposed development does not propose any significant external additions that alters the footprint of the existing building or increase susceptibility to flood hazard or flood damage. Alterations are largely limited to a small 47.8m² detached building, external seating areas with landscaping and shade structures. The works are non-habitable areas and maintains the existing finished floor level. The application is unlikely to have any additional significant impact to flood behaviour, the environment, flood affectation and risk to life from what is already existing at the subject site. As such, the application is considered to meet the objectives of this part of the DCP.

B.6 – Waste Not – Site Waste Minimisation & Management

A waste management plan was provided with the application of which details the type and amount of waste, and methods for disposal and / or reuse. Management of waste during construction can be addressed by way of conditions of consent.

Waste generated from the operations of the development will continue to be serviced by a private waste contractor. No changes to the servicing arrangements are proposed.

C.1 – Accessible Living

A Building Compliance Report (EJE, 16/05/2024) has been provided in support of the proposal. The development has been assessed for compliance with disability access legislation and Council's requirements to ensure that visitors and staff alike are provided equal opportunities for access to and from the building as well as within the building. The report demonstrates that the proposed outdoor area is to be constructed at the same level as the existing ground floor of the bowling club ensuring accessible compliance is achieved with all door thresholds to comply with Australian Standards ensuring provision of disabled access is achieved. It is considered that adequate accessibility is achievable subject to detailed design at the Construction Certificate stage. Conditions of consent will be imposed requiring the development to comply with relevant provisions of the Building Code of Australia.

C.4 – Heritage Conservation*General Requirements for Alterations and Additions*

The current building on site was built in the 1970s with significant alterations occurring in the 1980s, 1990s and several within the 2000s. The building and associated bowling greens are uncharacteristic of the period development significant to the conservation area, as such makes little contribution to the surrounding conservation area. The proposed works are limited to the Grant Street side of the site and includes a small 47.8m² building, outdoor seating with landscaping and shade structures. The location, scale and design of the additions are considered acceptable. The proposal employs neutral colours in keeping with both the immediate streetscape and greater conservation area. The scale of works proposed are not considered significant enough to have effect on any heritage items within the vicinity of the site. Existing view corridors to heritage items are retained.

C.11 – Vehicle Access & Car Parking*Access*

Vehicle access to the site remains unchanged by this proposal.

Parking

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND (Cont.)

DCP 2011 sets out car parking rates for registered clubs at one space per 10m² of public or licensed floor area (bar, lounge, dining room, games room). DCP 2011 also requires 30 car parking spaces for the first bowling green and 15 spaces for each additional green. The existing development includes a licensed floor area of approximately 3,350m² with additional function centres on the first floor and operates three bowling greens requiring a total of 395 car parking spaces. The proposed works reduces the third bowling green by half to create a new outdoor area with seating, a children play area, and a storage/service area adding 790m² to the licensed floor area but no additional club floor area.

Further, DCP 2011 states that where existing premises are being extended to create additional floor space, the additional parking requirement shall be calculated in accordance with Appendix A on the basis of the increased floor space. The additional 790m² of licensed floor area has been broken down into the following:

- 500m² covered open area (assumed 50% usage based on people choosing to site here instead of inside on a fine day and not during bad weather)
- 170m² – open area subject to the impact of weather (assume 50% usage)
- 70m² – children's play area - considered ancillary.

As such, an additional demand of 34 car parking spaces must be considered.

A total of 152 car parking spaces have been provided within the development with an additional 51 car parking spaces on the opposite side of Banks Street in the bowling club's open-air carpark. The existing car parking arrangements are not proposed to be amended. Whilst it is unclear what the applicable parking rates were at the time of the original DA for the site, it is noted that the existing car park currently operates adequately below the required capacity. A parking survey was conducted on Saturday 06/04/2024 and Sunday 07/04/2024 and is analysed in the submitted Traffic Impact Assessment (SECA Solution, 29/04/2024). On the Saturday there were two functions at the bowling club with a bowls tournament and a wedding with 90 guests. Wedding guests were noted separately in the head count as they were using the function room upstairs whilst bowls players were included in the club head count as they moved through various part of the club. The surveys indicates that the peak parking demand occurred at 6:00pm, where 78 out of 152 spaces were occupied (with 72 spaces vacant). This equates to a peak parking demand of 56%, which indicates that the existing car park at the time was more than adequate to accommodate the existing operations. The on-street parking demand also peaked at 6pm on the Saturday with 121 occupied spaces and 66 vacant spaces. Further, based on information provided by the operator, the existing car parking currently operates satisfactory with ample parking capacity consistently available. The additional demand of 34 car parking spaces can be accommodated within the existing car parking arrangements on site.

As the development is currently operating at a car parking deficiency, and the works propose a negligible increase in total floor area across the site, a variation to the car parking rates is necessary and supportable.

C.12 – CPTED

The design of the new outdoor area has integrated the principles of Crime Prevention through Environmental Design ("CPTED"), which includes four key strategies:

- Territorial Reinforcement
- Surveillance
- Access Control
- Space/Activity Management

CPTED aims to reduce crime opportunities through thoughtful planning, design, and management. By addressing the physical environment, the likelihood of crimes, which usually occur in low-risk, high-reward situations, can be minimised. The proposed works are supported by a CPTED comment within the submitted Statement of Environmental Effects, summarised below:

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Surveillance

- Ensure clear sightlines and effective lighting.
- Use mechanical methods like CCTV where natural surveillance is not sufficient.
- The outdoor area has been designed for clear sightlines and controlled access to minimise crime opportunities.

Lighting

- Use external lighting to create a safe environment.
- The bowling club uses lighting and CCTV to monitor the premises, particularly after hours.

Security

- Implement physical barriers like locked gates and fencing.
- Use sensor lighting and CCTV to deter offenders.

Access Control

- Incorporate barriers to guide and restrict movement.
- Use signage, landscaping, and fencing to control access and inform people of their permitted duration of stay.

Territorial Reinforcement

- Mark clear distinctions between public and private spaces.
- Maintain secure and attractive fencing and entrances.

Space/Activity Management

- Supervise and maintain spaces to ensure safety and promote a positive image.
- The bowling club's frequent use and maintenance foster a sense of pride, reducing the appeal for vandalism.

Overall, the design considers physical environment changes to reduce crime opportunities, making the area safer and more attractive. The objectives of this section of DCP are achieved.

E3 Heritage Conservation Areas

3 East Maitland Heritage Conservation Area

The subject building is from the post-war development period and makes little contribution to the significance of the HCA. The proposed works are minor in nature and involve alterations to the external bowling greens. It is considered that the proposals will have a neutral/positive impact on the conservation area.

Section 4.15(1)(a)(iia) – Any planning agreement that has been entered under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

- There are no planning agreements, or draft planning agreements applicable to the proposal.

Section 4.15 (1)(a)(iv) - The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Demolition is required by the regulations to be completed in accordance with the provisions of *AS2601-1991: The Demolition of Structures*. Appropriate conditions have been placed on the consent. There are no other provisions within the *Environmental Planning & Assessment Regulation 2021* relevant to this application.

Section 4.15 (1)(b) - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Impacts upon the natural and built environment have been discussed in this report in the context of relevant policy, including LEP 2011 and DCP 2011 considerations. In addition, the following environmental impacts are considered below:

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

Noise

A Noise Impact Assessment ("NIA") report prepared by Reverb Acoustics dated May 2024, has been submitted with the application. The assessment was conducted in accordance with guidelines and standards set out by various authorities, including the Department of Environment and Climate Change NSW (2007), the NSW Environment Protection Authority and Australian Standard AS1055-1997. These documents outline the procedures for measuring and analysing environmental noise, particularly in the context of operational activities.

The report provides a review of residential receivers in proximity to the project which is represented in Figure 2 below:



Source: Google Earth

LEGEND:

R1. Residence	R2. Residence	R3. Hairdresser
R4. Auto Repair	R5. Commercial/Retail	R6. Bank Hotel
R7. Residence	R8. Residence	R9. Residences

Figure 2: map showing monitoring locations and surrounds (source: Reverb Acoustics May 2024)

Two noise loggers (labelled "Monitoring Location 1" and "Monitoring Location 1" in the above Figure 2) was used to capture the existing background noise levels to determine the project's minimum intrusiveness noise levels and amenity noise levels as derived from the NSW Environmental Protection Agency's *Noise Policy for Industry* (2017).

Noise predictions from all operational sources (patrons, music noise) were quantified at surrounding residential receivers to the project site. The results of both daytime and night time are able to comply with the required maximum noise levels. The Independent Liquor and Gaming Authority ("ILGA") sets out specific noise criteria for licensed premises and has been used as the principal criteria for residential receivers. Calculations of noise emissions from the project to the nearest affected residential receivers are identified to satisfy the ILGA noise criteria from 12am to 7am assuming noise controls for the project are implemented. Recommendation of noise controls also include managing noise levels, including:

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

- The new outdoor area may be used at any time during trading hours up until 12am.
- Amplified entertainment may occur in the new outdoor area up until 10pm.
- Entertainment providers must set up in a shielded location along north wall of the new outdoor area. Speakers are to be directed to the south & centre of the new outdoor Area.
- Background "incidental" music is permitted in new outdoor area at all times during trading hours. A limiting SPL of 70dB(A), L_{max} is to be set at a distance of 3000mm from each speaker. Once this output limit is achieved, corresponding references should be assigned to the sound system controls and should only be accessed by responsible staff familiar with the system settings.
- Amplified entertainment in the New Outdoor Area should be restricted to DJ's, duos, soloists, acoustic performances, etc. No live bands.
- The following limiting SPL's at a distance of 10 metres from entertainment provider's speakers.

Octave Band Centre Frequency, Hz									
dB(A)	31.5	63	125	250	500	1k	2k	4k	8k
94	52	60	72	83	87	89	87	82	78

- In the event of valid complaint, we recommend installation of an electronic sound limiter in the new outdoor area. The following options are available:
 - If DJ/Provider uses own sound system: Electronic Sound Limiter Suppliers: <https://www.technologysoundandvision.com.au>
<https://www.waveformacoustics.com.au/noise-and-sound-limiters>
<https://www.acousticaldesign.com.au/noise-volume-limiters-indicators>
 - If using in-house sound system for all providers: DSP Controller with inbuilt rms limiting. Suppliers: <https://www.a1audio.com.au>
- The ceiling/roof over the new outdoor area (excluding polycarbonate and operable roof) must have an absorbent underside to reduce reflected sound. We recommend perforated/slotted timber, or perforated Colorbond backed with insulation (minimum 0.7NRC). Final selection is to be approved by the Acoustic Consultant.
- Access between the existing bowls lounge and the new outdoor area must be restricted to the proposed airlock only when amplified entertainment takes place within the bowls lounge area.

Further to the above, the proposed development does not seek any amendment to the current operating hours of the registered club.

Conditions of consent will be included to ensure the construction and operations of the development can comply with the relevant noise policy and subject to the recommendations outlined in the NIA prepared by Reverb Acoustics.

Bulk and scale

The subject site is excluded from the building height map prescribed by LEP 2011. It is also noted that DCP 2011 excludes any specific requirements relating to building heights and siting of new buildings for commercial or recreational developments. Due to the height of the proposed shade structures which is at a maximum of 7.36m from the existing ground level noting that the bowling greens are higher than the natural ground level along the road reserves of both Banks and Grant Streets. As such, the proposal is expected to have some visual impact within the locality. The visual impact is not expected to be significant given the design, colours and materials have been chosen to be complementary to the existing clubhouse and surrounding development. The lightweight canvas material of the shade structure and curve of the roof ensures the structure does not appear dominant or excessive particularly as the height of the structure reduces down from the centre of the bowling greens towards the eastern and western elevations to a height of 3.1m. Additional landscaping is proposed along the Grant Street elevation to provide visual relief.

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

The proposed built form provides adequate building separation to adjoining properties and does not unreasonably impact on the amenity and privacy of adjoining development. As discussed, the landscaping and perimeter planting aids in softening the bulk of the built form when viewed from the public interface.

External lighting

The proposed development consists of several external activity areas including the new outdoor sitting area and new undercover bowling greens which will occasionally be used at night. External lighting is proposed at these locations in accordance with required crime prevention through environmental design (CPTED) principles. It is noted that external lighting installation requires strict management to prevent obtrusive spill lighting into the surrounding community. There are several Australian Standards that apply to managing obtrusive lighting, including:

- AS1158 'Lighting for Roads and Public Spaces'
- AS 4282 'Control of Obtrusive Effects of Outdoor Lighting'
- AS 2560.2:2021 'Sports lighting'

Conditions are recommended to ensure that external lighting complies with the requirements of AS1158, AS4282 and AS2560 and all other applicable standards

The development is located within a site suitably zoned for the proposed use and is of a size able to cater for such development. The development is compatible with the existing character, bulk, scale, and massing of the existing built form in the immediate area. The proposal will not have any negative social or economic impacts.

The development has been designed to generally satisfy the requirements of DCP 2011 and as a result the development is unlikely to adversely impact upon adjoining properties.

Section 4.15 (1)(c) - The suitability of the site for the development

The subject site is within a zone suitable for the proposed development. The proposal utilises modern building techniques and a design which is complementary to the desired future character of the area. The development adheres to site constraints and restrictions and does not unreasonably impact the surrounding environment. The development is considered a suitable outcome for the subject site.

Section 4.15 (1)(d) - Any submissions made in accordance with this Act or the regulations

Public Submissions

- The proposal was publicly notified/advertised for a period of 14 days in accordance with the *Environmental Planning and Assessment Act 1979* and the Maitland Development Control Plan 2011.
- No submissions were received.

Government Agency Submissions

- The proposal is of a type that does not require the Council, as the consent authority, to obtain the concurrence, comments or general terms of approval from another government agency.

Section 4.15(1)(e) - The public interest

The proposal is within the public interest as it will continue to provide recreational services to serve the needs of the community, without impeding on the social, economic, built or natural environments. The proposal demonstrates consistency with the zone objectives and Council's development controls. The

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

development is typical of that within the locality and will not result in an unreasonable burden upon existing infrastructure or services.

OTHER APPROVALS

- The proposal does not require the Council to grant consent under legislation outside of the *Environmental Planning and Assessment Act 1979*.

REFERRALS

- The application was referred internally to Council's Development Engineering Team, Environmental Health Team, Building Surveying Team, Community Planning Team and Development Contributions Administrator. Subject to recommended conditions of consent no objections were raised.

ASSESSMENT CONCLUSION

- An assessment of the application has been undertaken against Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979 as amended*. The proposed development is considered acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.

RECOMMENDATION AND DETERMINATION

- Consent be granted subject to the conditions provided in the attached schedule.

Senior Development Planner
Thomas Howell
Date: 31 July 2024

Officers Reports

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND

Conditions of Consent

Meeting Date: 27 August 2024

Attachment No: 4

Number of Pages: 10

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

ATTACHMENT 4 RECOMMENDED CONDITIONS

DA/2024/431 – Alterations and Additions to Registered Club at 23 Banks Street EAST MATILAND

GENERAL CONDITIONS

1

Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Plan number	Plan number	Plan number	Plan number	Plan number
Architectural Plans /	Architectural Plans /	Architectural Plans /	Architectural Plans /	Architectural Plans /
Civil Engineering Plan / NL240052	Civil Engineering Plan / NL240052	Civil Engineering Plan / NL240052	Civil Engineering Plan / NL240052	Civil Engineering Plan / NL240052
Landscape Plan / 14798.5	Landscape Plan / 14798.5	Landscape Plan / 14798.5	Landscape Plan / 14798.5	Landscape Plan / 14798.5

Approved documents

Document title	Document title	Document title	Document title
Noise Impact Assessment	Noise Impact Assessment	Noise Impact Assessment	Noise Impact Assessment

In the event of any inconsistency between the approved plans and documents, the approved Plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2

Building Code of Australia

All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

Reason:

Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 69 of the Environmental Planning and Assessment Regulation 2021.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

3	<p>Construction Site Management Plan</p> <p>Before the issue of a construction certificate/subdivision works certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> • location and materials for protective fencing and hoardings to the perimeter on the site • provisions for public safety
----------	--

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	<ul style="list-style-type: none"> • pedestrian and vehicular site access points and construction activity zones • details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site • details of any bulk earthworks to be carried out • location of site storage areas and sheds • equipment used to carry out all works • a garbage container with a tight-fitting lid • dust, noise and vibration control measures • location of temporary toilets. • Date, hours and duration of construction works • Temporary parking arrangement • Proposed Road closure / Road works <p>The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
4	<p>Commercial / industrial stormwater drainage requirements</p> <p>Prior to issue of the Construction Certificate, the construction details in accordance with Council's Manual of Engineering Standards shall be provided for the following stormwater requirements:</p> <p>a) Minimum storage volume of 40 m³ for on-site detention (OSD) with a maximum permissible site discharge limited to 181 litres per second for the 1% AEP event as per drains modelling provided by Northrop and strictly in accordance with drainage plan number NL240052 revision B dated 18/07/2024 by Northrop</p> <p>b) Provide a staged outlet that reduces post-developed discharges to pre-developed discharges for the 1-year ARI, 10% and 1 % AEP critical storm events, and strictly in accordance with drainage plan number NL240052 revision B dated 18/07/2024 by Northrop</p> <p>c) Detailed pavement finished surface levels demonstrating 1% conveyance paths to, and 1% inlet capacity into the OSD tank/structure.</p> <p>d) Structural certification is required for underground detention systems where expected traffic loads are likely, and,</p> <p>e) An emergency overland flow path for major storm events, that is directed to the public drainage system.</p> <p>f) Entrapment of gross pollutants, nutrients and hydrocarbons generated from the contributing ground-surface catchment areas, and</p> <p>g) Conveyance where necessary, of stormwater through the site from upstream catchments, (including roads and adjoining properties).</p> <p>Reason: To ensure appropriate stormwater management.</p>
5	<p>7.12 Contributions</p> <p>Pursuant to Section 57.12 of the Environmental Planning and Assessment Act 1979 and the Maitland S94A Levy Contributions Plan 2006, a contribution of \$52,122 shall be paid to the Council.</p> <p>The above amount may be adjusted at the time of payment in accordance with the provisions of the Maitland S94A Levy Contributions Plan 2006. Any outstanding component of the contribution will be indexed bi-annually in accordance with the provisions of the abovementioned Development Contributions Plan. Reviewed rates will apply following release of CPI indices by the Australian Bureau of Statistics for June and December quarter.</p> <p>Payment of the above amount is required prior to issue of the Construction Certificate for the</p>

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	development
	This condition has been applied to ensure that where the proposed development results in an increased demand for public amenities and services, payment towards the cost of providing these facilities/services is made in accordance with Council's adopted contributions plan and the provisions of section 7.12 of the Environmental Planning and Assessment Act, 1979.
	Reason: To outline contributions payable to Council per Clause 4.17 of the Environmental Planning and Assessment Act 1979.
6	Section 50
	A Section 50 Application under the Hunter Water Act 1991 must be lodged with Hunter Water Corporation (HWC) and details of the Notice of Compliance from HWC must be provided to the Registered Certifier, prior to the issue of a Construction Certificate.
	Reason: To ensure HWC requirements are met.

BEFORE BUILDING WORK COMMENCES

7	Notice of appointment of PCA to be provided prior to commencement
	The applicant shall submit to Council a 'Notice of Appointment of the Principal Certifier' at least two (2) days prior to the commencement of construction works.
	Reason: To ensure a Principal Certifier is appointed prior to works commencing.
8	All Weather Access
	Before the commencement of any site or building works, a 3m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction for the delivery of materials and use by trades people.
	No materials, waste or the like are to be stored on the all-weather access at any time.
	Reason: To ensure safe and unobstructed access for construction vehicles and personnel during the building process.
9	Construction Certificate Required
	Prior to commencement of construction works, a Construction Certificate is to be issued by the Registered Certifier.
	Reason: To ensure a Construction Certificate is issued prior to works commencing.
10	Council to be notified of any damage to kerb, gutter, footpath etc prior to commencement
	The applicant is required to notify Council in writing prior to commencing building operations, of any existing damage to kerbing and guttering and/or footpath paving associated with the subject Lot. The absence of such notification signifies that no damage exists and the applicant shall therefore be liable for the cost of the repair of any damage to kerbing and guttering or footpath paving which may be necessary after completion of the building operation.
	Reason: To ensure Council is notified of any existing damage to Council assets.
11	Erosion and sediment controls in place
	Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
12	Approval for Works within the existing public road reserve
	Prior to commencement of works within an existing public road reserve:
	a) an engineering design, in accordance with Council's Manual of Engineering Standards, shall be submitted to Council for approval
	b) consent under the Roads Act for the approved works, shall be issued by Council

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	<p>c) all relevant Council fees shall be paid</p> <p>d) A Traffic Management Plan and/or Traffic Guidance Scheme in accordance with the Transport for New South Wales publication "Traffic control at Worksites" shall be submitted to Council.</p> <p>e) Structural Certificate shall be provided certifying that existing kerb inlet pits, that will have new pipeline connected into it, are structural suitable accordingly Council's Manual of Engineering Standards (MOES) and AS3600. If pit reconstruction is required, it shall be included on the engineering plans for assessment and approval under the Roads Act Section 138.</p> <p>Reason: To ensure appropriate approval(s) has been obtained prior to commencement of works.</p>
13	<p>Rubbish Generated from the Development For all construction sites</p> <p>Before the commencement of any building works, a waste containment facility is to be established on site. The facility is to be regularly emptied and maintained for the duration of works.</p> <p>No rubbish must be stockpiled in a manner which facilitates the rubbish to be blown or washed off site. The site must be cleared of all building refuse and spoil immediately upon completion of the development.</p> <p>Reason: Ensuring proper waste management and preventing environmental pollution during the construction process.</p>
14	<p>Sign on Building</p> <p>Except in the case of work only carried out to the interior of a building or Crown building work, a sign must be erected in a prominent position on the site showing</p> <ul style="list-style-type: none"> i. the name, address and telephone number of the Principal Certifier for the work, and ii. the name of any principal contractor and their after-hours contact number, and iii. must contain a statement that unauthorised entry to the site is prohibited. <p>The sign must be maintained while the work is being carried out and is to be removed when the work is completed.</p> <p>Reason: Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
15	<p>Site is to be Secured</p> <p>Before the commencement of any site or building works, the site must be secured, so far as is reasonably practicable, from unauthorised access to the satisfaction of the Principal Certifier. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.</p> <p>Reason: Ensuring safety, preventing unauthorised access, and minimising the risk of injuries, theft, and vandalism.</p>
16	<p>Notice of commencement to be provided to Council</p> <p>The applicant shall submit to Council a "Notice of Commencement" form at least two (2) days prior to the commencement of construction works.</p> <p>Reason: To ensure Council is notified prior to works commencing.</p>

DURING DEMOLITION WORK

17	<p>Removal of asbestos to be in accordance with NSW WorkCover requirements</p> <p>While demolition or work is being carried out, any asbestos containing material encountered during demolition or works, is to be removed in accordance with the requirements of Safe Work NSW and disposed of to an appropriately licenced waste facility.</p> <p>Evidence is to be provided to the Principal Certifier demonstrating that asbestos waste has been disposed of appropriately in accordance with this condition.</p>
----	--

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	Reason: To ensure asbestos is appropriate managed per the provisions of the NSW Work Cover Authority.
18	Demolition to be carried out in accordance with Australian Standards
	All demolition works are to be carried out in accordance with Australian Standard AS 2601 'The demolition of Structures'. All waste materials are to be either recycled or disposed of to a licensed waste facility.
	Reason: To ensure demolition works are undertaken per the Australian Standards.

DURING BUILDING WORK

19	Building materials on Council's footpath
	While work is being carried out, no building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.
	Reason: To ensure no building materials, refuse or spoil restricts use of Council's footpath.
20	Excavations and backfilling to be executed safely
	All excavations and backfilling must be executed safely, in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.
	Reason: To ensure excavations and backfilling is executed safely.
21	Run off and erosion control
	Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by: (a) diverting uncontaminated run-off around cleared or disturbed areas, and (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and (c) preventing the tracking of sediment by vehicles onto roads, and (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot. Run-off and erosion control measures must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties, and roads.
	Reason: To ensure appropriate run off and erosion controls.
22	Site to be cleared of building refuse on completion
	The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.
	Reason: To ensure all building waste, refuse and spoil is removed from site upon completion of works.
23	Upgrades to public utility services
	Any necessary alterations to public utility installations being at the developer's expense and to the requirements of both Council and the relevant authority.
	Reason: To ensure essential services are provided to each allotment.
24	Restriction on working hours for building activity
	Unless otherwise approved by Council in writing, all general building work shall be carried out between the hours of: a. 7.00am to 6.00pm Monday to Friday b. 7.00am to 5.00pm Saturday Any work performed on Sundays or Public Holidays that may cause offensive noise, as defined under the Protection of the Environment Operations Act, is prohibited. Minor works (such as hand sanding,

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	painting, digging and the like) is permitted between the hours of 9.00am to 5.00pm. Power operated tools are not permitted to be used.
	Reason: To ensure approved building activity does not disrupt the amenity of the surrounding area.
25	Property to be protected against soil erosion (minor)
	The environment surrounding the work shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind and "vehicle tracking".
	Reason: To ensure compliance of erosion and sediment control measures throughout the course of construction.
26	Offensive Noise, Dust, Odour and Vibration
	All work must not give rise to offensive noise, dust, odour or vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the nearest property boundary.
	Reason: To ensure the works are undertaken per the provisions of the POEO Act 1997.
27	Toilet facilities
	While work is being carried out, temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time.
	The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.
	Reason: To ensure adequate sanitary facilities during construction.
28	Stormwater drainage disposal
	Following the installation of any roof or hardstand area, final discharge of collected stormwater runoff shall be piped, in accordance with Council's Manual of Engineering Standards to:
	a) To a new street pit to be constructed.
	Reason: To ensure stormwater connection is in accordance with Council's Manual of Engineering Standards and the approved plan(s).
29	Implementation of construction management plan
	All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan must be introduced during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
	Reason: To ensure safety and to minimise the effect to pedestrians, other road users.
30	Temporary Site Structures
	The installation of temporary site structures must comply with the following requirements:
	a) Temporary site structures are to be installed in accordance with the; Work Health and Safety Act 2011; Work Health and Safety Regulation 2017; relevant Australian Standards; requirements of SafeWork NSW, and any other applicable Legislation;
	b) No third party advertising is permitted to be displayed on temporary site structures at any time;
	c) Temporary site structures must be maintained in a clean, tidy and safe condition at all times;
	d) Removal of all graffiti from temporary site structures must occur within 2 business days of its application;
	Reason: To ensure appropriate installation, use and removal of temporary structures.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

31	Repair of infrastructure
	Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council. Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.
	Reason: To ensure any damage to public infrastructure is rectified.
32	Documentary Evidence of Civil Works Completed
	Documentary evidence from Council's Subdivision and Development Engineering Section, confirming that satisfactory completion of civil works has been achieved for the Roads Act Approval associated with this Development Consent, shall be submitted to the relevant certifier.
	Reason: For compliance of the approved civil works within the existing public road reserve.
33	Works within the existing public road reserve
	Prior to the issue of the Occupation Certificate following works shall be provided within the existing road reserve(s):
	a) All redundant driveway crossings, driveways and/or damaged kerb and gutter are to be removed and reinstated.
	b) Drainage works shall include with a new kerb inlet pit construction and replace the existing 300mm Dia pipeline for a 450mm Dia from the new pit to be constructed to the downstream pit that has a 450mm DIA as outlet pipe.
	c) Replace the kerb and guttering along the length where a new stormwater pipeline will be constructed.
	d) Existing kerb inlet pits to remain that will have new pipeline connected shall be inspected and certified by a structural engineer. If they are considered not suitable for a new pipeline connection, they shall be reconstructed to the written satisfaction of Council, and at no cost to Council.
	Reason: To ensure the existing road is upgrade to adequate standards due to impacts of the development.
34	Stormwater System Maintenance Procedure Plan
	Prior to Occupation or Operation of the development , a Stormwater System Maintenance Procedure Plan shall be prepared by an engineer, detailing a regular maintenance programme for pollution control devices, covering inspection, cleaning and waste disposal, a copy of which shall be supplied to the owner/operator and to Maitland City Council for supply of future owners as needed.
	Reason: To ensure quality stormwater entering the public drainage system.
35	Works-as-executed plans and any other documentary evidence
	Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:
	(a) All stormwater drainage systems and storage systems
	(b) All works undertaken at the road reserve.
	Reason: To confirm the location of works once constructed that will become Council assets.
36	Landscape works to be undertaken in accordance with landscape plan
	All landscape works are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent, prior to the issue of an Occupation Certificate.
	Reason: To ensure landscape works are undertaken per the approved plans.
37	Material and Colours
	Unless approved otherwise in writing by Council, the external materials and finished are to comply with the approved Schedule of Materials / 14798 / A117 / Rev 02 prepared by EJE dated 22/07/2024.
	Reason: To ensure the design quality of the development.
38	CLAUSE 64 (previously 94) CONSIDERATION
	For the purposes of section 64 of the Environmental Planning and Assessment Regulation 2021, prior to issue of an Occupation Certificate the following items or fire safety measures shall be upgraded, and details shall be included in the application for any construction certificate:

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	<p>a. Fire fighting equipment shall be installed within the existing building so as to satisfy the requirements of E1P1, E1P2 and E1P3 of the Building Code of Australia.</p> <p>b. Exits shall be provided to service the existing building so as to satisfy the requirements of D1P4, D1P5, D1P6 of the Building Code of Australia.</p> <p>Reason: To ensure compliance with regulations and safety standards for building upgrades and changes in building use.</p>
39	<p>Occupation certificate required</p> <p>A relevant Occupation Certificate must be obtained prior to any use or occupation of the development.</p> <p>The Principal Certifier must be satisfied that the development has been constructed in accordance with approved plans, specifications and conditions of this consent.</p> <p>Reason: To ensure development is suitable for occupation and / or use.</p>
40	<p>Removal of waste upon completion</p> <p>Before the issue of an Occupation Certificate:</p> <p>a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and</p> <p>b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.</p> <p>Reason: To ensure waste material is appropriately disposed or satisfactorily stored.</p>
41	<p>Construction of stormwater control system</p> <p>Prior to issue of the Occupation Certificate, the stormwater-control system shall be constructed in accordance with the approved stormwater drainage plan. A qualified engineer shall supply written certification to the Principal Certifier and Council that the constructed system including detention volume and discharge rates achieve the consent requirements for detention.</p> <p>Reason: To ensure stormwater management is constructed in accordance with the design plan.</p>
42	<p>Approved Report Recommendations</p> <p>Construction of the New Outdoor area development must comply with the recommendations of the Noise Impact Assessment, No. 24-2923-R1, prepared by Reverb Acoustics Pty Ltd, dated May 2024.</p> <p>Reason: To ensure the development complies with specific recommendations of a report.</p>

OCCUPATION AND ONGOING USE

43	<p>Copy of Fire Safety Schedule and Certificate to be displayed</p> <p>At all times, a copy of the Fire Safety Schedule and Fire Safety Certificate must be prominently displayed in the building and a copy forwarded to the Fire Commissioner of Fire and Rescue NSW in accordance with Part 11 and 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p> <p>Reason: To ensure fire safety measures are implemented.</p>
44	<p>Fire safety certificate to be submitted to Council</p> <p>At completion of the building BUT before to its occupation, a Final Fire Safety Certificate with respect to each critical and essential fire safety measure installed in the building shall be submitted to Principal Certifier and Council. Certificates shall be prepared in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation, 2021.</p> <p>Reason: To ensure fire safety measures are implemented.</p>
45	<p>Fire safety statement to be prepared annually</p> <p>A Fire Safety Statement in respect of each required essential and/or critical fire safety measure installed within the building shall be submitted to Council and the NSW Fire Commissioner annually (or at a more frequent interval for supplementary statements).</p>

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

	<p>Statements shall be prepared and issued in accordance with Part 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation, 2021. Note that monetary penalties may apply for failure to lodge a fire safety statement within the prescribed timeframe.</p> <p>Statements to the NSW Fire Commissioner are to be submitted electronically to afss@fire.nsw.gov.au.</p> <p>Standard to Transport for New South Wales and further information for lodging Fire Safety Statements may be downloaded from Councils website.</p> <p>Reason: To ensure fire safety measures are implemented.</p>
46	<p>Hours of Operation</p> <p>The outdoor area is only to be open for business during approved trading hours until 12am. Amplified entertainment may only in outdoor area up until 10pm.</p> <p>Other internal operations such as cleaning, preparation, and office administration may be undertaken outside of the above hours provided no disturbance to the amenity of the neighbourhood occurs.</p> <p>Reason: Where the approved use has a restriction on the operational requirements.</p>
47	<p>Offensive noise</p> <p>The use and occupation of the premises including all plant and equipment must not give rise to any offensive noise within the meaning of the Protection of the Environment Operation Act 1997 and must comply with the NSW Noise Policy for Industry 2017 (as amended).</p> <p>Reason: To mitigate impacts of potential emissions or waste resulting from the development per the provisions of the POEO Act 1997.</p>
48	<p>Outdoor Lighting</p> <p>Lighting is to be provided to all entrances and exits of the premises and is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light, interfere with traffic safety or detract from the amenity of surrounding properties. All lighting must comply with AS1158 'Lighting for Roads and Public Spaces' and AS 4282 'Control of Obtrusive Effects of Outdoor Lighting'.</p> <p>External lighting to the new covered bowling greens and other external areas are to be installed in accordance with AS1158 'Lighting for Roads and Public Spaces', AS 4282 'Control of Obtrusive Effects of Outdoor Lighting' and AS 2560.2:2021 'Sports lighting'.</p> <p>Reason: To mitigate amenity impacts as a result of lighting.</p>
49	<p>Amenity</p> <p>The business must be conducted, and customers controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations and residential or business premises.</p> <p>Reason: To limit and reduce impact upon the surrounding amenity.</p>
50	<p>Waste Bin Collection</p> <p>Facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements are to be made for regular removal and disposal of same.</p> <p>Reason: To ensure waste storage is screened from public view.</p>
51	<p>Managing noise with ongoing acoustic treatment</p> <p>The use of New Outdoor area must comply with the recommendations of the Noise Impact Assessment, No. 24-2923-R1, prepared by Reverb Acoustics Pty Ltd, dated May 2024.</p> <p>Reason: To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on the amenity of adjoining and nearby premises.</p>

DA/2024/431 FOR ALTERATIONS AND ADDITIONS TO REGISTERED CLUB AT 23 BANKS STREET EAST MAITLAND
(Cont.)

52	Maintenance of Landscaping
	Landscaping must be maintained in accordance with the approved landscape plan and conditions of this development consent. All landscape areas must be kept free of parked vehicles, stored goods, garbage or waste material at all times.
	If any of the vegetation dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed.
	Reason: To ensure approved landscaping is maintained and suitably replaced for the lifetime of the development.

10.6 DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS

FILE NO:	2022/912
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Locality Plan 2. Development Plans 3. Assessment Report (Under Separate Cover) 4. Conditions of Consent (Under Separate Cover)
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Cindy Littlewood - Manager Development & Compliance Kristy Cousins - Coordinator Planning & Development
AUTHOR:	Kristen Wells - Senior Development Planner
APPLICANT:	Loxford Project Management Pty Ltd
OWNER:	McCloy Loxford Land Pty Ltd and Dowmere Pty Ltd and South Maitland Railway Pty Ltd
PROPOSAL:	Two Hundred and Twenty Four (224) Lot Torrens Title Subdivision
LOCATION:	464 Cessnock Road, Gillieston Heights
ZONE:	R1 General Residential and RU2 Rural Landscape

EXECUTIVE SUMMARY

*The proposal seeks consent for a Two Hundred and Twenty Four (224) Lot Torrens Title Subdivision, including Three (3) Stormwater Basins Lots, One (1) Temporary Stormwater Basin, at 464 Cessnock Road, Gillieston Heights. The Locality plan can be viewed in **Attachment 1** of this report.*

The subject site is located within the Gillieston Heights Urban Release Area (URA) and is accessed off Cessnock Road, on the western side of the road. The application was placed on hold pending the resolution of bushfire requirements, stormwater matters, registration of the voluntary planning agreement and satisfactory arrangement certificate. These items have now been satisfactorily addressed. The proposal required the concurrence of the Department of Climate Change, Energy, the Environment and Water (DCCEEW), the New South Wales Rural Fire Service (NSW RFS), and NSW Subsidence Advisory. General Terms of Approval (GTA) have been received from these agencies. Additional referral has taken place with Transport for New South Wales (TfNSW), which is outlined within this report.

*The application is reported to Council for determination as it exceeds Council Officer delegations due to a cost of works of \$17,226,413. There were no submissions received during the notification process. The proposal generally complies with the DCP. It is acknowledged that stormwater discharge has been a key issue during the assessment process as outlined in the assessment report (**Attachment 3**). The proposal is furthermore compliant with the relevant planning framework and is consistent with the expectations for residential development within*

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)

the URA. The application has been assessed against the relevant heads of consideration under section 4.15(1) in the Environmental Planning and Assessment Act 1979 and considered to be satisfactory subject to the imposition of conditions.

OFFICER'S RECOMMENDATION

THAT

- 1. Development consent be granted to DA/2022/912 for a Two Hundred and Twenty Four (224) Lot Torrens Title Subdivision, including Three (3) Stormwater Basins Lots, One (1) Temporary Stormwater Basin, at 464 Cessnock Road, Gillieston Heights subject to the recommended conditions of consent contained in Attachment 4.**

Introduction

The purpose of this report is to seek development consent from Council for DA 2022/912 proposing a 224 lot Torrens Title subdivision. This report is provided to Council on the basis that the cost of work exceeds the delegations afforded to Council assessment officers. The cost of works is around \$17.23 million, which exceeds the \$5 million limitation provided in the General Manager's Delegations. A detailed assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (NSW) report is provided within **Attachment 3** to this report.

Site Description

The land on which the development is to be carried out is legally described as Lots 54, 55, 69, 70, 71 DP 975994, Lot 1 DP 1206034, Lots 2, 3, 4, 5, 7, 8, 9 DP 456946, Lot 4 DP 998274 and Lots 1 and 2 DP 976895. The site is located to the west of Cessnock Road, beyond the previously approved Precinct 1A Loxford land (approved via DA2022/193), which immediately adjoins Cessnock Road. The subject land is bound by Loxford Precinct 1A to the east and the South Maitland rail corridor on the west. Existing residential land sits to the north, and rezoned residential land sits to the south, within the Cessnock LGA. The property is within the Regrowth-Kurri Kurri Masterplan area which includes land holdings of the former Hydro Aluminium Smelter.

The site has been predominantly used for grazing purposes. The watercourse located in the southern/central portion of the site runs east to west towards the South Maitland Railway. The watercourse is lined by extensive native vegetation, with additional vegetation scattered throughout the site. Locally, drainage is towards Swamp Creek, which is located west and north-west of the site.

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)

Proposal

The proposal is identified as Precinct 1B of the Loxford subdivision, with Precinct 1A having previously been approved 13th June 2023, permitting the creation of 354 residential allotments. Specifics of the proposed subdivision are outlined below:

- The creation of 224 residential allotments varying lot sizes of 450sqm – 1,029sqm to be released over 14 stages.
- Two (2) RU2 zoned allotments.
- One (1) residual lot 40.32ha zoned RU2 – Rural Landscape.
- Drainage works within the rail corridor.
- Full road construction of the following:
 - Extension of Road MC01, MC11, MC06, MC05, MC08, MC07;
 - Construction of new road MC17, MC20, MC18, MC21;
 - MC01 as a primary collector road with a divided carriageway;
- Construction of three permanent basin reserves, dedicated to Council;
 - Lot 914, 8227sqm, Central West,
 - Lot 424, 2857sqm, North,
 - Lot 124, 5033sqm, East.
- Construction of one temporary basin, which will be decommissioned upon a permanent solution being provided within any future subdivision works in the adjoining Cessnock LGA;
 - Lot 1419, 5780sqm.
- Construction of pipe outlet and the creation of an easement for stormwater disposal over land to the north-west (South Maitland Railway Corridor).
- Associated infrastructure and landscape works including bulk earthworks, retaining walls, shared pathway, services, stormwater management facilities.
- Identification of additional necessary tree removal of small clusters in the northern and central portion of the site, relevant to this subdivision. Vegetation clearing has been assessed as part of DA2022/193, and therefore additional clearing needs to be dealt with under this consent.
- Acoustic attenuation along rail corridor, by implementation of building envelopes and construction restrictions.
- Provision of easements.

It is additionally noted that at the completion of the subdivision and further stages within Cessnock LGA, an alternative flood free access road will be provided between the Cessnock LGA and Maitland LGA.

Development Plans can be viewed in **Attachment 2** of this report.

KEY ISSUES

The subdivision is of a large scale with a detailed planning assessment report provided in **Attachment 3**. The key issues relate to stormwater disposal, biodiversity and acoustic impacts which are summarized below.

Stormwater

During the assessment of this subdivision there have been extensive negotiations between Council staff and the applicant in relation to stormwater disposal from the development.

As part of this assessment, the applicant had originally proposed to discharge stormwater from the north-western basin in a northern direction to a 'natural depression', running east of the railway corridor line. Council advised that owner's consent is needed for this arrangement and the applicant then opted to re-design their method for stormwater discharge.

The north-western basin was redesigned to require the discharge of stormwater in a north-westerly direction, through the South Maitland Railway Corridor land and into a mapped watercourse on this land, before it continues to Lot 1 DP 1149176. Early discussion was held as to whether the mapped watercourse comprised the legal definition of a watercourse and whether the discharge of stormwater could be legally established to this point.

Council sought legal advice on this issue to support the assessment of the application. Consideration is required for two key elements relating to a legal point of discharge and the potential for nuisance flooding arising from the flow of water from the site across neighbouring land. Firstly, the applicant provided a Geomorphological Watercourse Assessment (*GHD, 15 December 2023*), confirming that the depression in the land shared the characteristics which define a watercourse. A site inspection was also conducted confirming that the depression had the visual characteristics of a watercourse. In addition, the applicant also provided legal advice that asserted this was a legal point of discharge. It is therefore considered that the applicant has demonstrated a legal point of discharge.

Secondly, as the proposal no longer includes any proposed artificial spillway works to the dam on Lot 1 DP 1149176 Council must consider the risk of nuisance as a result of increase water flowing through the site from this development. The key risk identified is the potential for scouring of the farm dam and possible dam failure at a future point in time as a result of increase water flowing through the site. The potential impacts, it is noted that the pre and post development flows entering the site will remain relatively equal, the catchment only serves thirty-four (34) proposed lots (situated within the north western portion of the site) and the potential for impact is located on partially flood affected rural lands. The risk is considered minor, and Council can be satisfied to progress the application without the requirement of an easement for stormwater over Lot 1 DP 1149176.

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)

Biodiversity

The proponent had sought consent for the clearing of land of the entire site via Stage 1A under DA2022/193. A Biodiversity Development Assessment Report (BDAR) covering both development applications was prepared by GHD dated 2 February 2022 and supported via consent issued 13th June 2023. The original BDAR gained consent to offset approximately 770 ha of the Hydro Lands to be secured within a biodiversity stewardship site as part of their overall masterplan.

This application required some minor amendment to the BDAR and additional vegetation is impacted. A condition of consent has been imposed requiring the modification to DA 2022/193 to reflect the amended BDAR offset requirements.

Acoustic

The site is bound by the South Maitland rail corridor to the west. The application was supported by an Acoustic Report which identified recommendations for future residential treatments and mitigation measures. A recommended condition of consent will require a restriction to be placed on the title of the affected allotments to ensure that future dwellings are constructed in accordance with the required standards to mitigate potential noise impacts.

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

Statutory implications relating to assessment of the subject application have been addressed in the body of the report.

CONCLUSION

This application has been assessed against the relevant heads of consideration in Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (NSW). The proposal is considered acceptable, and approval subject to the conditions contained in **Attachment 4** is recommended.

Officers Reports

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS

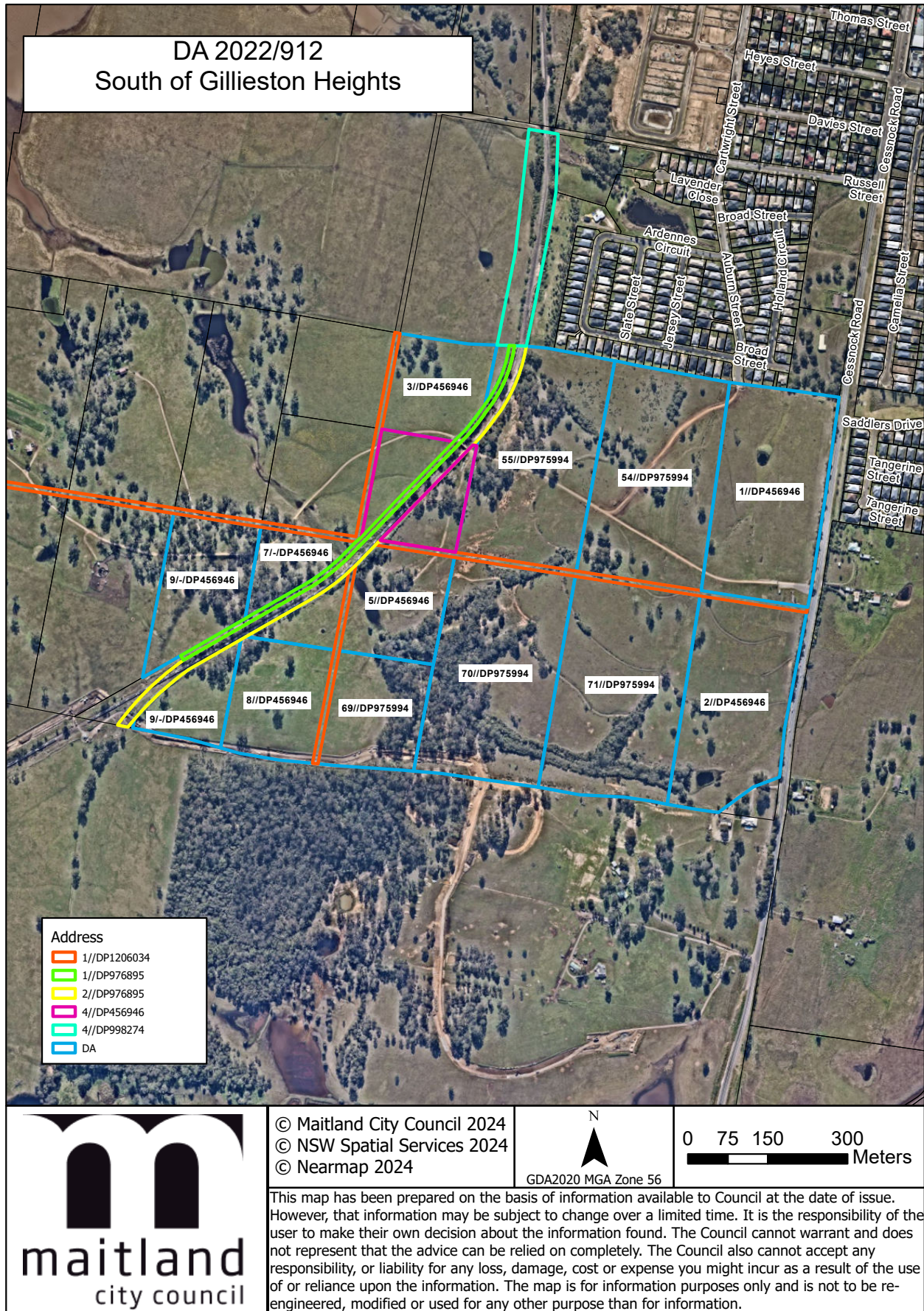
Locality Plan

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 1

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)



Officers Reports

DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS

Development Plans

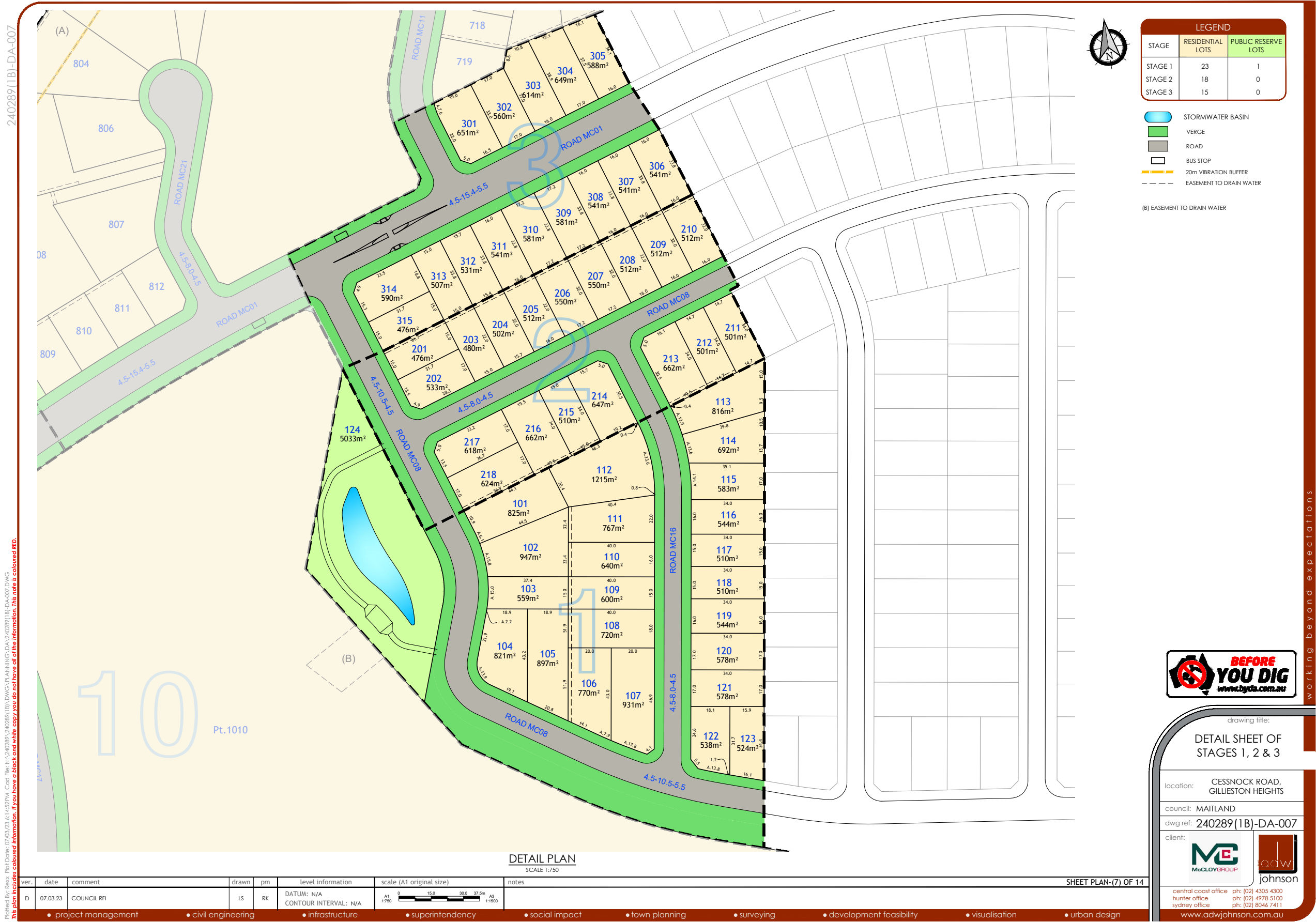
Meeting Date: 27 August 2024

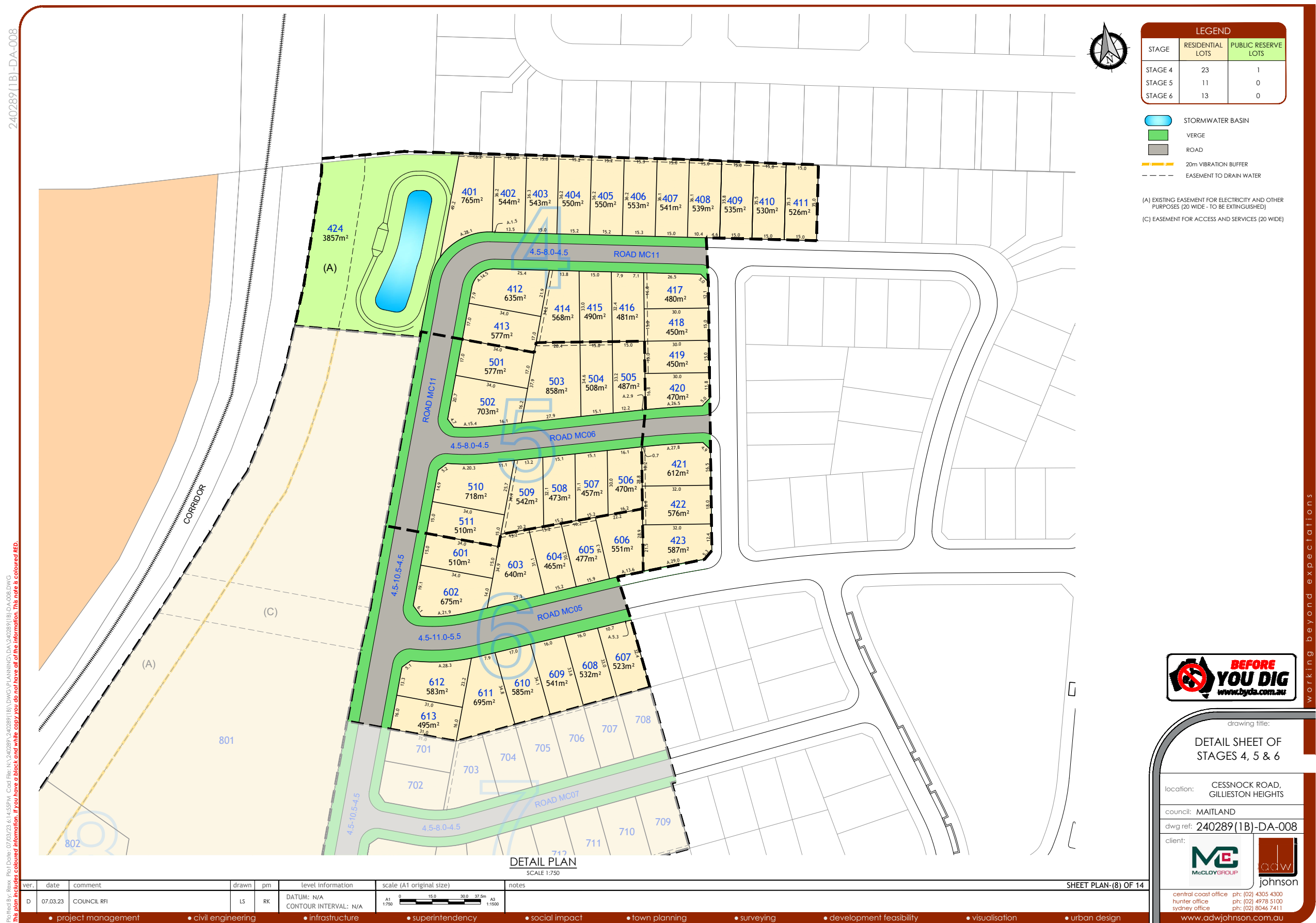
Attachment No: 2

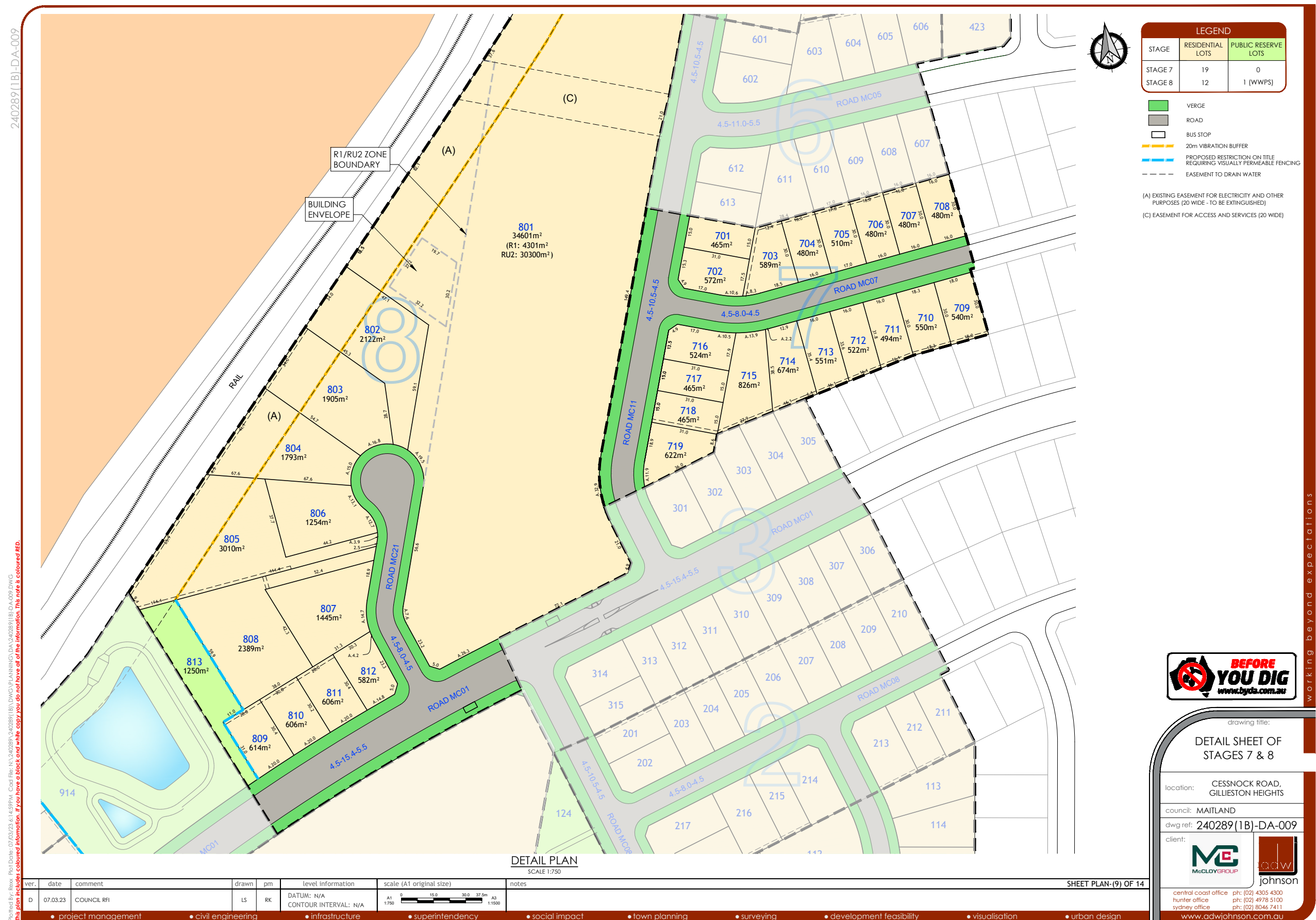
Number of Pages: 8



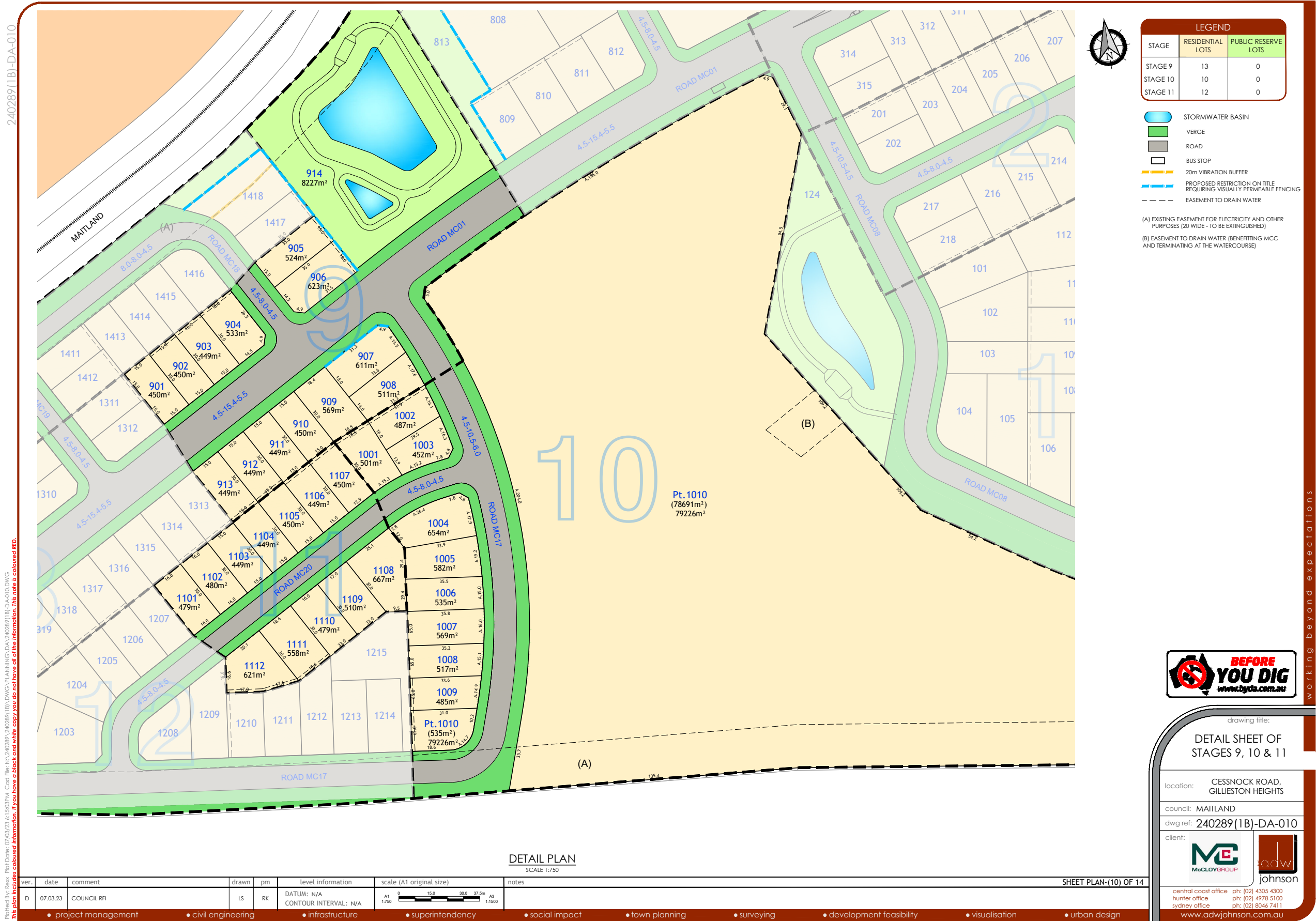
DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)

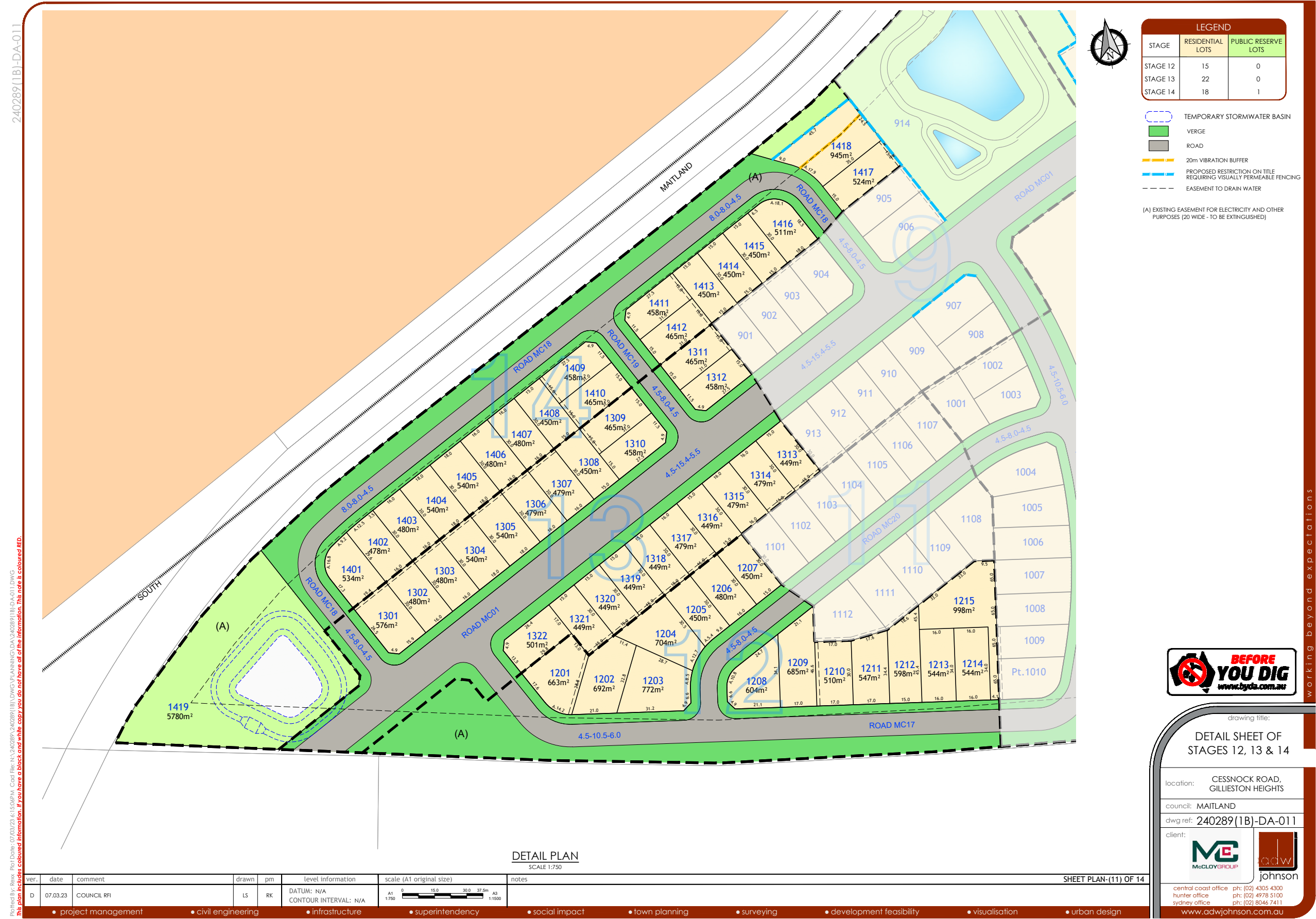






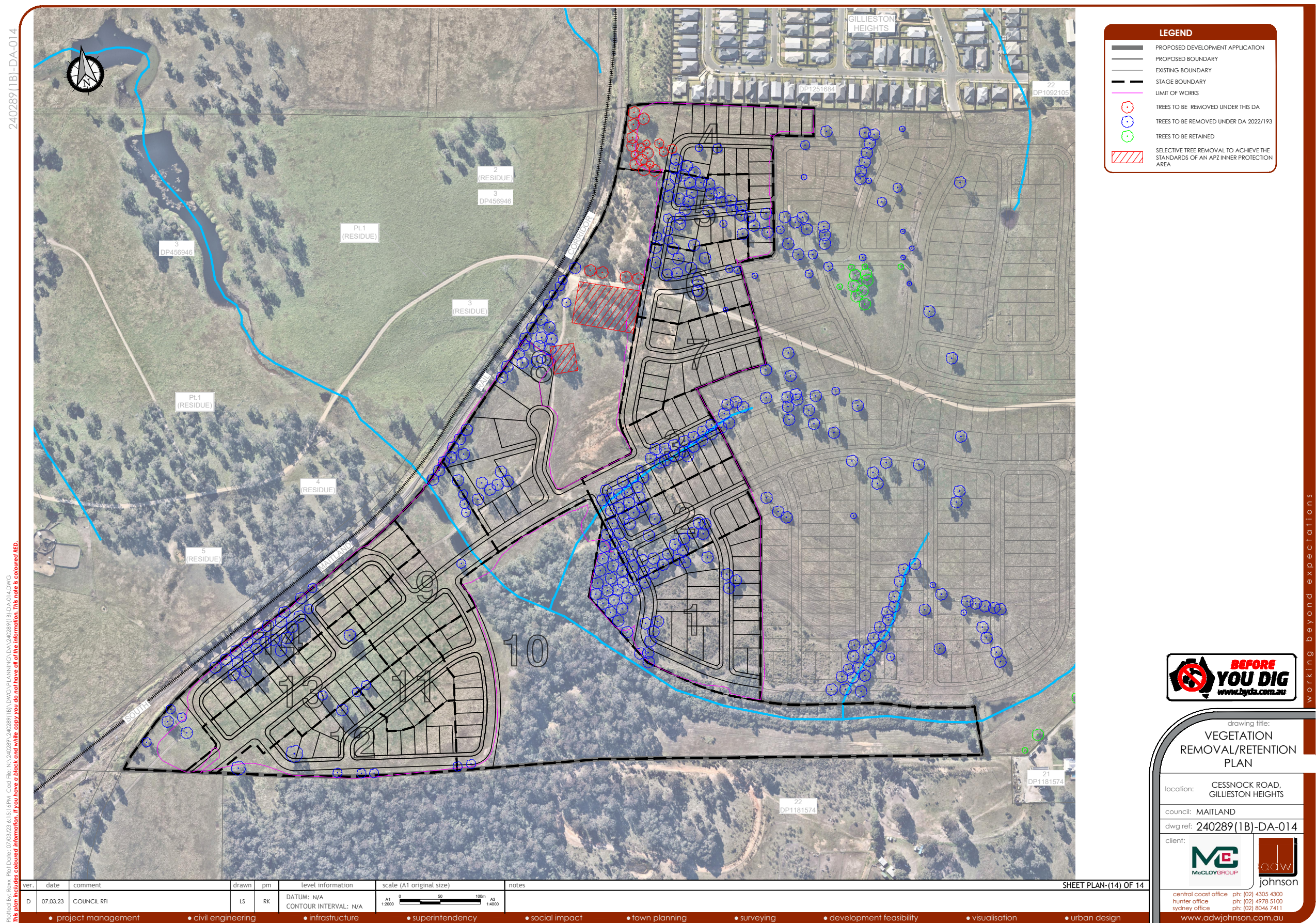
DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)





DEVELOPMENT APPLICATION 2022/912 PROPOSING TWO HUNDRED AND TWENTY FOUR (224) LOT TORRENS TITLE SUBDIVISION AT 464 CESSNOCK ROAD GILLIESTON HEIGHTS (Cont.)





10.7 DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK

FILE NO:	DA2022/1260
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Locality Plan 2. Development Plans 3. Assessment Report (Under Separate Cover) 4. Conditions of Consent (Under Separate Cover) 5. Submissions
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Cindy Littlewood - Manager Development & Compliance Kristy Cousins - Coordinator Planning & Development
AUTHOR:	Kristen Wells - Senior Development Planner
APPLICANT:	Perception Planning
OWNER:	Newpro 25 Pty Ltd
PROPOSAL:	28 Lots Torren Title Subdivision (Including 1 Drainage Reserve)
LOCATION:	82 Collaroy Parade, Louth Park NSW 2320
ZONE:	R5 - Large Lot Residential

EXECUTIVE SUMMARY

This proposal seeks consent for a Twenty Eight (28) Lot Torrens Title Subdivision, including One (1) Drainage Reserve at 82 Collaroy Parade, Louth Park. The locality plan can be viewed at Attachment 1 of this report.

The subject site is located within the Louth Park Urban Release Area (URA) and is accessed via Collaroy Parade. The application was placed on hold pending the resolution of bushfire requirements, stormwater matters, and the satisfactory arrangement certificate. These items have now been satisfactorily addressed. The proposal obtained the concurrence of the New South Wales Rural Fire Service (NSW RFS), and NSW Subsidence Advisory. General Terms of Approval (GTA) have been received from these agencies.

The application is reported to Council for determination as it received three (3) submissions during the notification period. The concerns of which are outlined below and in the Planner's Assessment Report (Attachment 3). The issues raised in the submissions have been addressed during the assessment of the application and do not warrant refusal of the application.

The proposal is generally consistent with the subdivision and Louth Park Area Plan requirements of Maitland DCP 2011. The application has been assessed against the relevant heads of consideration under Section 4.15(1) in the Environmental Planning and Assessment Act 1979 and considered to be satisfactory subject to the imposition of conditions.

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

OFFICER'S RECOMMENDATION

THAT

- 1. Development consent be granted to DA/2022/1260 for a 28 Lot Torrens Title Subdivision, at 82 Collaroy Parade, Louth Park subject to the recommended conditions of consent contained in Attachment 4.**

Introduction

The purpose of this report is to seek development consent from Council for DA 2022/1260 proposing a twenty eight (28) Lot Torrens Title Subdivision. This report is provided to council on the basis of three (3) submissions received during the public notification process. A detailed assessment in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* is provided within **Attachment 3** of this report.

Site Description

The land on which the development is to be carried out is legally described as Lot 2 DP 1286289 and is commonly referred to as 82 Collaroy Parade Louth Park. The land has an area of 7.625ha and is located on the western side of Louth Park Road and sits at the lower, southern extremity of the Maitland LGA, near the border with Cessnock City Council.

The site is bound by residential properties on the western boundary, and larger residential lots on the north, and east boundary. To the south currently sits a large, vacant lot, upon which a recent residential subdivision has been approved (DA 2018/1967). Work has not yet commenced on this subdivision, however a connecting road (i.e. the extension of Collaroy Parade through this subject application) will be made.

The subject site is irregular in shape and is comprised predominately of managed grasslands and relatively dense vegetation in the central and north portions of the site. This vegetation generally comprises Lower Hunter Spotted Gum Ironbark Forest community and is consistent with the surrounding vegetated areas. The site contains an existing farm dam, but no other structures are observed onsite.

The land is zoned R5 Large Lot Residential and has three relevant minimum lot sizes being 1500sqm, 2000sqm and 4000sqm under the Maitland Local Environmental Plan 2011 (LEP).

A locality plan can be viewed in **Attachment 1** of this report.

Proposal

The proposal involves the subdivision of one lot into twenty-eight lots for residential purposes (see Figure 1 below). Specifics of the proposed subdivision are outlined below:

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

- Torrens Title subdivision of the site from one into 28 lots, including a lot dedicated to drainage reserve.
- Proposed 27 residential lots will range in size from 1508m² to 4040m².
- Decommissioning of an existing farm dam and construction of a drainage basin in its place.
- Construction of three roads, being;
 - Extension of Collaroy Pde,
 - Eldon Drive, and
 - Road 10.
 - Note: Collaroy Pde will connect through to future development to the south of the site (DA2018/1967).
- Onsite detention and water quality control basin at the northern portion of the site.
- Emergency overflow path and grassed table drain construction within an existing drainage easement.
- Earthworks to level the site and construct the road reserve.
- Associated infrastructure and landscaping works including installation of 3 poles at the north-eastern boundary of the site, as well as intentional tree retention for establishment of a squirrel glider corridor.

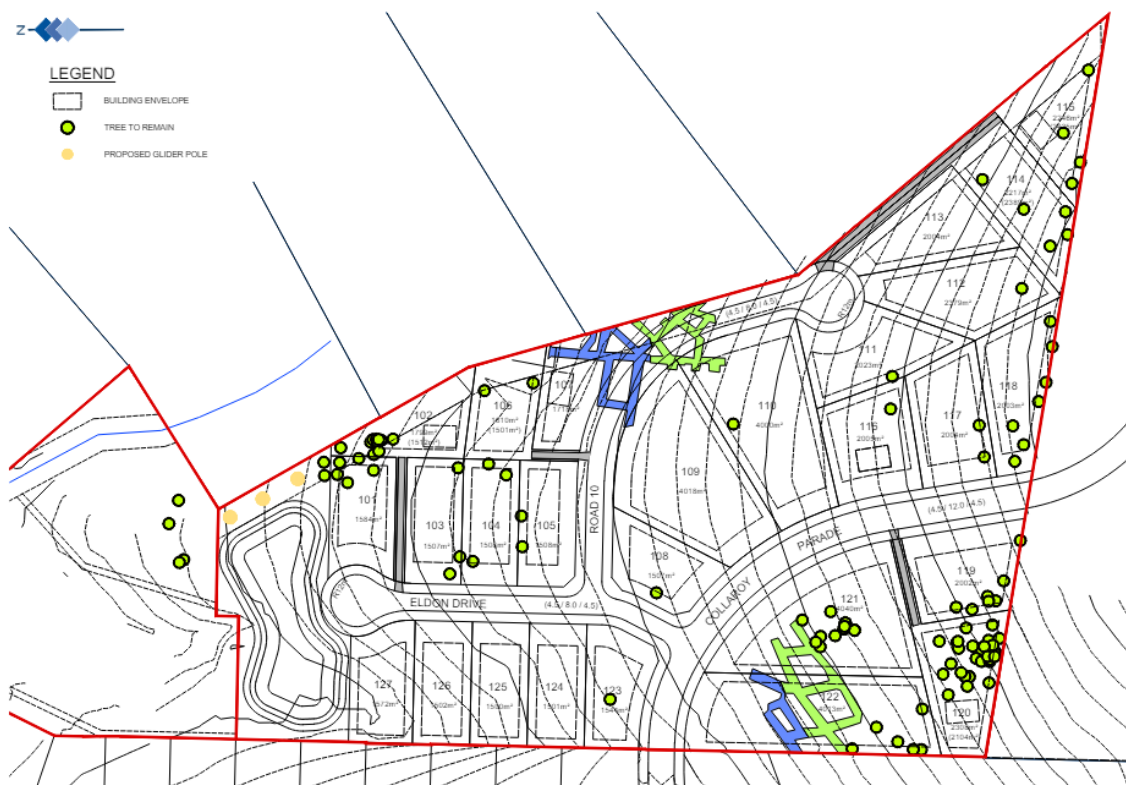


Figure 1: Proposed Subdivision Layout

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

KEY ISSUES

Biodiversity

A Biodiversity Development Assessment Report (BDAR) has been prepared in support of the proposal. It is acknowledged that the proposal has been redesigned to minimise the impact of direct vegetation clearing particularly of hollow bearing trees and foraging resources for a range of species. The tree retention plan identifies the retention of one hundred and four (104) healthy trees in key locations which is considered to be an adequate avoid and minimize strategy.

The selective retention of tall, large trees and hollow-bearing trees was prioritised given their high ecological value, particularly to hollow-dependent fauna. The poorer condition trees and areas of shrubby regrowth have not been proposed for retention due to the lower ecological value and to comply with bushfire protection measures.

Trees have also been retained for the purpose of providing canopy linkage for gliding arboreal fauna. The BDAR has identified the presence of Squirrel Gliders (*Petaurus norfolensis*) in the area, an identified vulnerable species. The land comprises foraging habitat for the species, and hollow bearing trees provide potential breeding habitat. The species also relies on connectivity of canopy to move throughout the area, with known linkages being to the north and south of this site. Council's Biodiversity and Resilience Office is satisfied that the retention of trees, combined with the installation of additional glider poles in the north-east of this site will strengthen movement corridors for the glider.

The proposal will impact approximately 7.5 hectares of native vegetation with offsetting which has been reviewed by Council's Ecologist as acceptable subject to the imposition of conditions of consent.

Bushfire

The land is identified as containing bushfire prone land. A bushfire threat assessment (*Bushfire Planning Australia*) was provided and included a series of addendums addressing requests for information. General Terms of Approval (GTA) have been provided by the NSW RFS.

The application provided a detailed letter of response from a BPAD accredited bushfire consultant as well as the consulting ecologist confirming the terms of the GTA's and the need to retain vegetation can be adhered to. A condition of consent ensuring that the priorities of creating suitably revegetated portion of land as well as complying with the bushfire requirements has been imposed to ensure that both priorities are met. Full details of this are outlined within the Assessment Report (**Attachment 3**).

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

Mine Subsidence

The site is affected by mines subsidence. The application was subsequently referred to NSW Subsidence Advisory who have recommended conditions to be included in any development consent. It is noted that remediation work for mine workings is required, including grouting. A remediation report is required to be provided to Subsidence Advisory for acceptance. These GTAs from NSW Subsidence Advisory have also been attached to the development consent.

PUBLIC SUBMISSIONS

The application was notified and advertised in accordance with Council's policy from 8 December 2022 to 12 January 2023. Three submissions were received by Council during the notification period. A copy of the submissions is contained within **Attachment 5** of the report.

The matters raised in the submissions are summarised as follows:

- Lot size, inconsistency with objectives of the R5 zone and visual impacts
- Stormwater management
- Traffic
- Flora and fauna impacts

Council's detailed consideration of the submissions are provided in the detailed assessment report under **Attachment 3**.

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

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

CONCLUSION

This application has been assessed against the relevant heads of consideration in Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (NSW). The proposal is considered acceptable, and approval subject to the conditions contained in **Attachment 4** is recommended.

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

Officers Reports

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK

Locality Plan

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 1

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)



DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

Officers Reports

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK

Development Plans

Meeting Date: 27 August 2024

Attachment No: 2

Number of Pages: 1



HILLVIEW
LOUTH PARK

Project No.	Dwg No.	Rev.
21360L	L106	26
Current as of:		
27 JUNE 2024		

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

Officers Reports

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK

Submissions

Meeting Date: 27 August 2024

Attachment No: 5

Number of Pages: 9

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: Maitland City Council
Subject: Proposed development Louth park

To whom this may concern,

We are the owners of lot [REDACTED] and have just been shown the new proposed subdivision [REDACTED]. DA/2022/1260

I just wanted clarification on if the beautiful dam [REDACTED] will be filled in to make way for block 131? I understand that development is important however it will be sad to see it go. We always see ducks, birds and kangaroos drinking from the dam and would have thought that a waterway such as this would be left to keep that semi-rural vibe.

Kindest regards,

[REDACTED]
[REDACTED]

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

From: [REDACTED]
Sent: Saturday, 7 January 2023 8:01 PM
To: Maitland City Council
Subject: DA/2022/1260 and DA/2018/1967 Submission
Attachments: [Rural vs Sub-division. map_20221205.png](#);
[5050_COM_LSZ_005_040_20140815 \(2\).pdf](#)

Attention: Development Admin Team

Hi.

As a landowner on Louth Park road I have some questions for Maitland council with regards to the developments [DA/2022/1260](#) Collaroy and [DA/2018/1967](#) Tulips.

I have made no reportable political donations; so, do not need to submit a Political donations and gifts disclosure statement.

Question 1) Lot Map size
Please respond

The proposal is situated on R5 zoned land, of which the Maitland LEPP describes as follows:

Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The combined developments occupy a land area of Approx 189,576.0m² with a proposed 55 lots to be subdivided. This equals a land to house ratio of 3,446m²:1. In contrast to this, a nearby R5 zone estate (Waterford) has approx 851,271m² with 177 houses. This has a land to house ratio of 4,809m²:1. Waterford is an example of Large lot residential living and doesn't look like Chilsom or Cliftleigh.

The above Developments have increased the house to land ratio by a whopping **40%**. And the Lot size map has deliberately been changed to allow more houses to be built for these particular developments.

It has been demonstrated in the latest hillview development that a minimum lot size of 1500m² clearly does not meet the objectives above and looks like Chisolm and Cliftleigh, with colorbond everywhere, no trees in sight, domestic dog complaints, greatly increased traffic to louth park road, increasing the risk of pedestrian and bicycle incidents.

My question is. Please provide justification for the lot size map change that allowed a narrow band of land labeled (V) and straddles both developments (how convenient) from W2 (4000m²) to V (2000m²), that demonstrates Maitland Council met their objectives in the R5 zoning as per the LEPP i.e. 4 dot points above.

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

I propose that MCC shall align with the objectives they set and consider reducing the number of lots for these developments, because what is proposed is not housing in a rural setting, It's a suburban equivalent setting with bigger blocks around them.

When asked where I live , I say Louth park. People's response, is "Oh its lovely there" . Please keep Louth park one of maitlands last estates where the community at large considers it a rural lifestyle and not suburbia. I have also attached a map from the 5th dec 2022 that clearly shows Rural lifestyle (Right of Image) compared to Sub-division (Left of Image) .

Question 2) Traffic

Please respond

With a proposed build of over 55 lots, this will equate to at least 70 more vehicles that will travel down Louth park road and through Collaroy.. Louth park road is speed limited at 60kph however vehicles travel at speeds more like 80hph, therefore the controls in place do not work to slow traffic. The intersection at Mt Vincent and Louth Park Rd is also dangerous and congested.

My question is.

- What controls are in place for the new developments (other than speed signs) that will ensure speed is reduced?
- What provisions are being made by the council to upgrade the intersection at Mt Vincent Rd and louth Park road?

As speed signs are no deterrent, I propose that these developments install speed bumps, or chicanes, or a combination of both and set a max speed limit of 50kph plus upgrade the intersection at Mt Vincent and Louth Park Rd.

Question 3) Water management

Please respond.

There is a fantastic diverse species of flora and fauna in and around the proposed development areas. In the 3 dams the development wishes to dispose of waste water into, there are fish, turtles, and crayfish below the water and abundant wild birds that occupy above the water from small birds and ducks all the way up to a large white bellied sea eagle. The surrounding plant species in the riparian zones also help to facilitate the biodiversity of the area. These developments are not just dumping stormwater runoff from their properties, but they are collecting all road based contaminates, oil grease, rubber VOC's nutrients such as phosphorus and nitrogen from lawn fertilisers, not to mention herbicides and pesticides into the water system.

Question. Please demonstrate how these developments can guarantee that the water quality in the dams will NOT change.

Has there been any current (this year) background water quality testing? Parameters like TDS, TSS, Turbidity, pH, Salinity, Conductivity VOC's PAH's and Nutrients? Please respond.

I propose that Maitland Council or the developer shall carry out the following: **Please respond to each item below**

- Carry out a dilapidation report on the current condition of the 3 dams and nominate who will be responsible shall the water quality be altered in response from the direct disposal of water into the dams and what the consequences are.

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

- Delete the storm water pits from Louth Park road from entering the drainage system of the Tulips estate into the proposed settling dam, and divert it down Louth park road, Thus eliminating all contaminates from Louth Park road entering the dams.
- Mandate that each lot must have a water tank greater than 20,000L, as the basix requirement of 5000L is laughable and fills up in one rain event. And that any separate structures (like garages, sheds, carports, etc) should also have an appropriately sized water tank. This will significantly reduce flow into the proposed settling pond.

In conclusion I believe that these developments are inconsistent with the definition and intention of R5 zoning and wish for MCC to please consider increasing the minimum lots sizes to 4000m2 (W2) thus reducing the number of lots which will in turn, reduce cars, traffic, waste pollution and noise in an environment that is still considered rural. These proposals (like Hillview) DO NOT align with rural living despite the lot size map indicating they do. Maitland Council has the authority to change this for the better of the community and not the developer.

Thankyou

████████████████████

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLARROY PARADE, LOUTH PARK (Cont.)



DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

From: [REDACTED]
Sent: Tuesday, 3 January 2023 8:27 AM
To: Maitland City Council; Kristen Wells
Cc: [REDACTED]
Subject: Comments re: DA/2022/1260
Attachments: Louth Park 2.pdf

Hello Kristen,

As the owners of [REDACTED] we have the following initial comments regarding the DA 2022/1260. If we have further comments to make we will submit them by 12/1/2023.

We have made no reportable political donations; so, do not need to submit a Political donations and gifts disclosure statement.

R5 Zoning

We note that the zoning is R5. Council's own objectives (from your website) of R5 is:

Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

We believe that the plans as submitted show that the proposed 31 lots are inconsistent with council's objectives for R5 developments in that:

16% will be around 4000 sqm
29% will be approximately 2000 sqm
10% will be approximately 1700 sqm
45% will be approximately 1500 sqm

To summarize: 84% of lots will be approximately 2000 sqm or less in size. We would be interested in council's view on how this ratio is consistent with the intent of a Rural large lot development

This shows a significant imbalance where the lot sizes are skewed to the absolute smallest permitted size for an R5 zoned area. This is clearly an attempt by the developer to maximise profits rather than comply with R5 zoning objectives of 'large lots' in a rural setting. This is further demonstrated by the number of battle-axe blocks proposed with shared driveways where the developer is clearly squeezing the maximum number of blocks that they can out of the development. A development such as this may as well be in Southwest Sydney rather than a regional/rural area such as Maitland. What is proposed is an urban development with a small number of larger lots. This application is inconsistent with the R5 zoned lots around this proposed development (such as for 526 Louth Park Road) and with other developments in the immediate area (such as Waterforde).

Whilst we acknowledge that it is not unreasonable for there to be a mixture of lot sizes in such a development; we believe that what is proposed is too skewed to smaller lot sizes and we recommend that the ratio of small to large lot sizes (4000 sqm or above) should be changed significantly so that there are many more actual large lots in this rural large lot residential development; in other words, consistent with the published RF guidelines. What is

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

proposed is not providing for housing in a rural setting. It is an urban equivalent setting – just with bigger blocks that most urban environments.

Furthermore, if council is going to approve large numbers of small blocks, then at what point does this trigger demand for public facilities such as buses, cycle paths, footpaths, street lighting, proper stormwater management along Louth Park road, local shops etc.

I attach council's own overhead picture that shows just how 'urban' the Hillview development is. What is proposed for this Stage 1 DA will simply be repeating what has been approved previously for Hillview. This clearly demonstrates that what has been allowed to be developed does not represent a large lot Rural development at all.

Flora and Fauna

It seems that every tree, shrub or bush on the site is going to be destroyed to make way for the development. It is therefore obvious that any fauna will be pushed out of its habitat. We have enjoyed seeing kangaroos, echidnas, goannas, water dragons and many different species of birds on our land. We recommend that the small number of trees and bushes that remain on the site should be retained to provide at least some measure of habitat for those creatures that have called this site 'home'.

Traffic

It is obvious that there is a proposed future connection of Collaroy Parade to the road being proposed for the development of 526 Louth Park Road. Once that development goes through, then it seems clear that the residents of the development at 526 Louth Park Road, along with those from this proposed Stage 1, as well as many other residents of Hillview will all use Collaroy Rd. This will potentially create a rat run for virtually all traffic to Hillview and people will avoid going further down Louth Park road before turning into Hillview from Dagworth Rd. We are also unsure of why there is any reference to Dagworth road being used for access to Gilleston Heights in terms of calculating traffic movement when the road has been closed for more than 2 years with no sign of reopening? We have heard anecdotally that there is no intention of reopening Dagworth Road due to the high cost. Further, there would appear to be the potential for significant impact on traffic at the intersection of Mt Vincent/Buchanan Rd and Louth Park road thereby increasing the likelihood of accidents. What will be done to manage traffic that enters and exits from Collaroy Pde to Louth Park Road, as well as traffic at the intersection of Louth Park Rd and Mt Vincent/Buchanan Rd. We are concerned that there will be a high number of accidents as there will be two significant intersections within approximately 200 metres of each other.

What is the proposed speed limit in this subdivision? We propose that as part of the road installation, there are significant traffic calming measures installed to force traffic to slow down and that there is a speed limit of 50 or below implemented.

Storm Water management

Given our experience with major rain events over the last 2 years, we are concerned that stormwater and potential run off from lots is managed effectively. We note that swales to capture storm water on site and then feed that water into the stormwater runoff to the north of the development for those blocks on the eastern side of the proposed development has been provided for. We appreciate this. However, our experience with swales on current adjacent blocks shows them to be ineffective in capturing and funnelling significant amounts of ground water runoff during heavy rain events. We would like to understand that this system of swales has been designed to deal with the amount of water that has fallen in this area during the significant individual rain events over the last 2 years. Was the engineering for these swales and stormwater management modelled against those significant individual rain events? Will the swales capture all run-off from the proposed blocks and funnel it to the north of the development? We would also like to understand if there is any failure in a swale that the owner of that lot is required to fix it urgently, otherwise there is potential for significant runoff onto our or other adjoining properties. We also recommend that the lot owners are not permitted to ever remove a swale.

We also recommend that every house in this development is required to have a water tank of at least 25000 litres and that any separate roofed structures (such as standalone garages, sheds, carports, cabanas etc) should also have

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK (Cont.)

an appropriately sized water tank connected rather than allow water to simply run off. While we acknowledge the current requirements are for 10000 litre tanks (additional if a pool is installed), the physical size and cost difference for a larger tank is minimal and would have significant benefits in water retention on each lot.

Appearance of houses

We note with disappointment how the Hillview development has progressed. This has unfortunately turned into a rather bland, boring and architecturally meritless development that looks like any cheap urban development that could be anywhere (again – as demonstrated in Council's own picture attached). They are just big project homes plonked on building sites. We recommend that council issues some sort of guidelines as to what can and cannot be built to enhance the visual aspects of the development.

Fencing

The type of rural fencing currently in place on our western boundary (which will adjoin lot 117) is inadequate to control movement of animals such as dogs. We request that the developer is required to install additional fencing material to all the existing fences on the western side of the development so as to prevent movement of animals from the subdivision onto our land.

General Comment

To make it clear, we do not support this DA as is currently proposed. Our primary objection is that we believe that what is proposed is inconsistent with the definition and intent of R5 zoning. There are in our view, too many smaller blocks within the development. The developer is trying to get away with the development of as many blocks they think they can squeeze in to maximise profits rather than create a real rural lot subdivision that meets council's objectives of the R5 zoning.

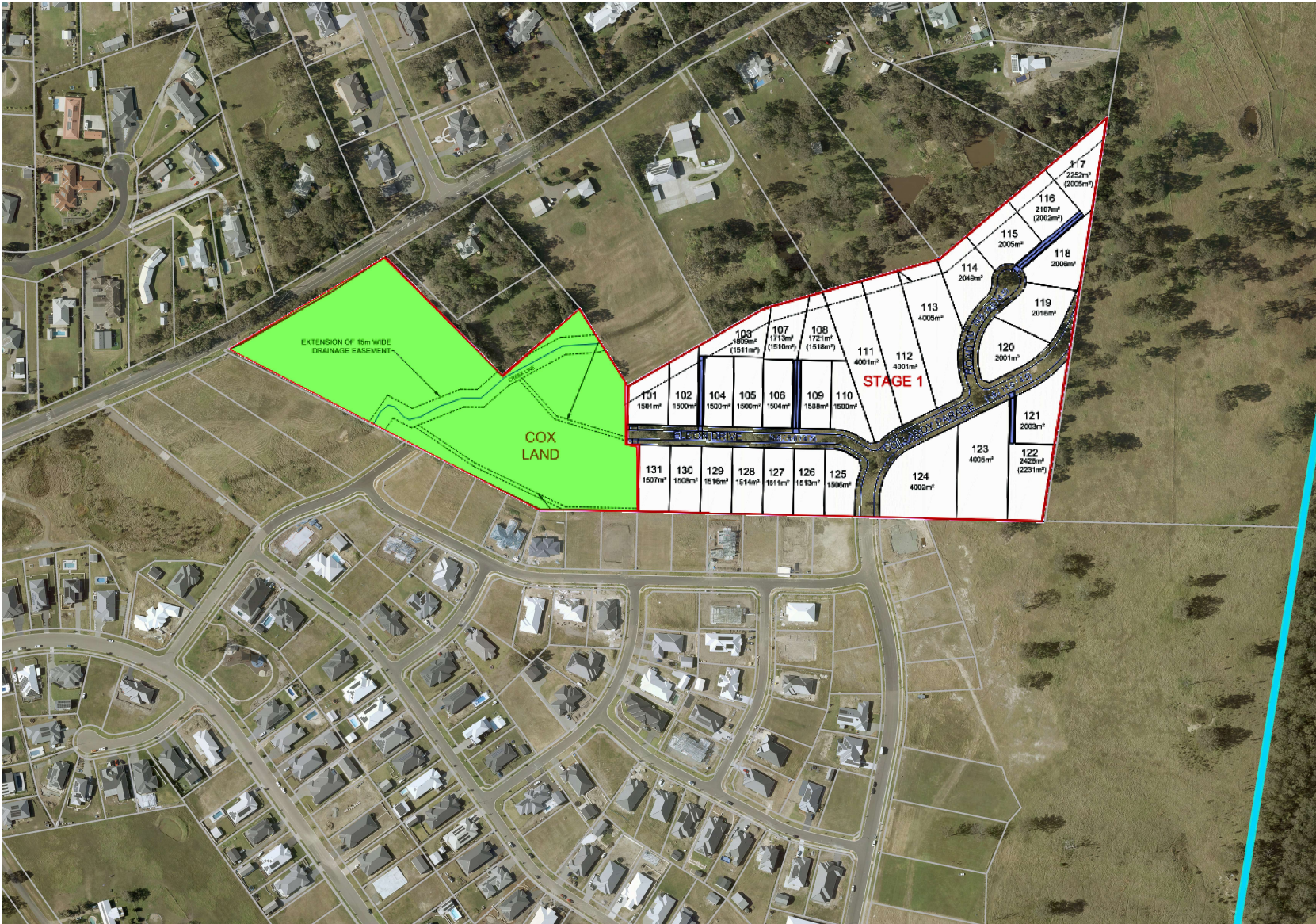
Our other concern is that we want to be satisfied that we are not going to be impacted in any way by any stormwater runoff from any approved development.

We look forward to hearing back from you regarding the above. Please use my email address for correspondence.

Thank you and best regards,

████████████████████
████████████████

DEVELOPMENT APPLICATION 2022/1260 FOR 1 INTO 28 LOTS TORREN TITLE SUBDIVISION (INCLUDING 1 DRAINAGE RESERVE) AT 82 COLLAROY PARADE, LOUTH PARK
(Cont.)



10.8 SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA

FILE NO:	55/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Matthew Prendergast - Director City Planning Catherine Pepper - Manager Environment & Sustainability
AUTHOR:	Ben Maddox - Principal Sustainability Officer
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

On 9 April 2024 Council resolved to:

- Affirm Council's commitment to identifying further opportunities to expand the electric vehicle charging network within the LGA*
- Work with State and Federal Governments, together with other relevant industry parties, including Ausgrid, to identify further opportunities to expand the electric vehicle charging network within the LGA*
- Staff provide an information report to Council within three months on short, medium and long term opportunities to expand the electric vehicle charging network within the LGA.*

This report responds to point 3.

OFFICER'S RECOMMENDATION

THAT

The information in this report be noted.

REPORT

Electric vehicle (EV) registrations are rapidly increasing in Australia with an estimate of over 180,000 electric vehicles currently registered.

In NSW alone, passenger electric vehicle registrations have increased from 22,761 in January 2023 to 63,210 at 30 June 2024. EV registrations have also increased significantly in the Hunter region in the past 18 months, evidenced in the table below.

SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA (Cont.)

Region	31-Jan-23	30-Jun-24	% Increase
NSW	22761	63210	178%
Central Coast	656	1809	176%
Newcastle	361	1051	191%
Lake Macquarie	344	1070	211%
Port Stephens	112	313	179%
Maitland	108	351	225%
Mid Coast	98	256	161%
Cessnock	55	172	213%
Singleton	18	52	189%
Dungog	10	37	270%
Muswellbrook	8	21	163%
Upper Hunter	1	13	1200%

Table 1 Registrations of Battery Electric Vehicles

There are currently 17 vehicle manufacturers offering over 80 variants with a range from 200 km to 630 km per full charge with a price range starting at \$43,000. It is noted that in Maitland, the average weekday vehicle trip distance has been estimated at 14.5km per day (NSW Household Travel Survey, 2022-23) meaning that for local residents, charging is likely needed once per week or less on average. While many EV drivers will charge at home or in their workplace, public EV charging availability has been recognised as a potential barrier to greater uptake of EV when considering traveling a daily distance that is greater than a vehicle's full charge range.

CHARGER TYPES

Table 2 below provides an overview of charger types available in Australia, based on information from the Electric Vehicle Council of Australia.

SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA (Cont.)

Level	Power Range	Typical installation location	Description
Level 1: Trickle charger	10-15 Amp, single phase	Home	Existing power point (10-15 Amp, single phase), used in combination with a specialised cable which is typically supplied with the vehicle. Typically used in standalone domestic homes. This method will add between 10 and 20km of range per hour plugged in. It will top up daily use, but will not fully recharge a typical pure electric vehicle overnight.
Level 2: Destination charger	7kW to 22kW 32 Amp 3-phase	Home, apartment complex, workplace, hotel, community facility	A dedicated AC EV charger at up to 22kW (32 Amp, 3-phase). Typically installed in homes, apartment complexes, workplaces, shopping centres, hotels, etc – anywhere the vehicle will be parked for a while. This method will add 40 to 100km of range per hour of charging depending on the vehicle. It will top up average daily vehicle use in an hour, or deliver a full recharge overnight
Level 3: Fast to Ultra-fast charger	25kW to 350kW+ 40 – 500 Amp, 3-phase	Commercial premises and roadside locations	A dedicated DC EV charger at power levels from 25kW to 350kW (40 – 500 Amp, three phase) Typically used in commercial premises and road-side locations to provide for faster recharging than Level 1 and 2 can achieve. At the lower end, this method will add up to 150km of range per hour plugged in. At the upper end, this method can fully recharge some electric vehicles in 10 to 15 minutes.

Table 2: Charger Types

SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA (Cont.)

STRATEGIC APPROACH TO EV IN NSW

The NSW Government has released its Electric Vehicle Strategy which outlines the state plan to accelerate the electric vehicle transition in NSW. The strategy includes the following priority actions:

1. Helping drivers buy an electric vehicle
2. Building a world-class electric vehicle charging network
3. Making it easy to drive an electric vehicle
4. Creating jobs and growing the economy
5. Keeping road funding fair and sustainable

Actions 2 and 4 are particularly relevant to charging opportunities within the Maitland LGA, through incentives and support for charging providers, local Councils and tourism operators to create a network of suitable charging facilities across the state, ranging in speed from ultra-fast charging down to destination charging.

FUNDING OPPORTUNITIES

Current NSW Government supported funding is available for the following charger types:

- Destination Charging
- Kerbside charging
- Fast Charging
- Fleet Charging

The following outlines these opportunities and their current status.

Destination Charging

The NSW Government has allocated \$20 million to assist eligible regional NSW businesses and councils by co-funding the purchase and installation of EV chargers. Council submitted an application to Round 2 of the fund on Friday 2 August 2024 for 4 Council operated sites.

Council staff have also promoted this program to local businesses as a rolling opportunity in its business matters newsletter, and has offered Council assistance to navigate the application process. Some local businesses were awarded destination charger funding in Round 1 including East Maitland Bowling Club and Club Maitland City, Rutherford.

Kerbside Charging Grants

This program acknowledges that while most electric vehicle (EV) charging will be done at home, approximately one in 3 drivers across NSW do not have access to off-street parking to charge an EV. Under the strategy, \$10 million will be invested across multiple funding rounds to install EV kerbside chargers in areas of NSW with the least access to private, off-street parking. Round 1 closed 17 November 2023 and resulted in over 391 sites across the state across 16 LGAs, including Newcastle with 30 charge points across 10 sites. Round 2 is expected to open in the 2nd half of 2024.

SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA (Cont.)

Council staff have identified a range of sites and that could be suitable and flagged these sites for consideration with Ausgrid and its partners should council wish to pursue these opportunities when Round 2 opens.

Fast Charging

The NSW government is seeking to make NSW the easiest place to buy and use an electric vehicle in Australia, with a \$149 million investment to develop a world-class fast charging network. Under the NSW Electric Vehicle Strategy, this investment will expand existing public fast charging across the state. This involves co-funding private industry to build and operate charging stations every 100km along major NSW highways, and every 5km along commuter corridors in metropolitan NSW.

The recent site licence for NRMA to deliver a fast charger within the Maitland CBD was funded under round 2 of this program. It is understood that a further 2 fast charging sites were also awarded funding on private land in the Greenhills and Rutherford localities. These 3 sites align closely with those identified with the Environmental Sustainability Strategy sustainable transport map/plan for targeted fast charging sites. The three new fast charging sites within the LGA will provide a significant uplift in the availability of chargers for both tourists and local residents.

It is understood that any additional rounds of fast charging grants will be focused on filling gaps that have not already received funding support.

Fleet Charging

The NSW government is investing \$105 million in the Drive electric NSW EV fleets incentive. This is aimed at helping NSW organisations accelerate their shift to EVs and reduce emissions. The incentive is aimed at all fleet operators including NSW businesses, not-for-profits, hire companies and local councils and will support the purchase of battery electric vehicles (BEVs) or fuel cell electric vehicles (FCEVs), with additional funds available for smart base charging.

The program is focused on bridge the cost of transitioning a fleet's passenger, light commercial or sports utility vehicles to EV or Hydrogen Fuel Cells. The program has one round remaining, expected to open in the second half of 2024.

The first and second rounds of the Drive electric NSW fleets were allocated to eligible organisations to support the procurement of approximately 2,000 battery electric vehicles and 1,800 smart chargers.

During the design and construction of the MAC building Council has provisioned for the electrical conduits and base level infrastructure to deploy EV Chargers at the MAC building. The final round of the Fleet Incentive is an opportunity to take advantage of this infrastructure should Council wish to do so.

SHORT, MEDIUM AND LONG TERM OPPORTUNITIES TO EXPAND THE ELECTRIC VEHICLE CHARGING NETWORK WITHIN THE MAITLAND LOCAL GOVERNMENT AREA (Cont.)

Federal Government Schemes

The Federal Government has previously supported public EV Charging via its future fuels program via the Australia Renewable Energy Agency. Current opportunities for Council are associated with the Community Energy Upgrade Fund. Council included faster charging infrastructure in its recent application.

CONCLUSION

The NSW and Federal Government have and are continuing to invest heavily in enable the uptake of low emission vehicles. There are a range of opportunities council could tap into should it be in a position to provide the co-funding required to maximise the opportunity.

10.9 LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024)

FILE NO:	140/5
ATTACHMENTS:	1. Local Traffic Committee Minutes August 2024 2. Agenda Item 5.1 - Event - 2024 Riverlights Multicultural Festival
RESPONSIBLE OFFICER:	Jason Linnane - Director City Services Stephen Smith - Manager Assets and Engineering
AUTHOR:	Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.2 Make our roads safer through the timely delivery of road maintenance and safety programs

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Traffic Committee meeting held Thursday 1 August 2024 are attached for information. At this meeting, temporary road closure applications were considered and endorsed for acceptance for one (1) event. Council resolution is required to implement the temporary road closures associated with the management of this event.

OFFICER'S RECOMMENDATION**THAT**

- 1. The Local Traffic Committee meeting minutes of 1 August 2024 be noted.**
- 2. Council approve the traffic management plans and road closures for the following event as recommended in the attached reports:**
 - a. Event – 2024 Riverlights Multicultural Festival**

REPORT

The minutes of Maitland City Council's Local Traffic Committee (LTC) Meeting held Thursday 1 August 2024 are attached for information. The LTC recommended regulatory items contained within these minutes have been authorised by the General Manager under Council's Instrument of Delegated Authority, dated 12 June 2018.

Approval is sought to implement the temporary road closures associated with the traffic and transport management as recommended for the following event as reported to and endorsed for acceptance by the LTC at the meeting held 1 August 2024.

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

- Event – 2024 Riverlights Multicultural Festival – Item 5.1

The agenda items with recommended closures for the above event are attached.

CONCLUSION

Approval is sought to implement the temporary road closures associated with the traffic and transport management for the following events as reported to and recommended for acceptance by the LTC at the meeting held 7 March 2024 for the following events:

- Event – 2024 Riverlights Multicultural Festival

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates. Any Council costs associated with facilitating the events are to be incorporated within existing project funding allocations.

POLICY IMPLICATIONS

This matter adheres to Councils Activities on Public Roads Policy and has no specific policy implications for Council.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993, Roads Act 1993, Road Regulation 2018, Road Transport Act 2013 and Work Health and Safety Act 2011 with this matter.

Officers Reports

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024)

Local Traffic Committee Minutes August 2024

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 15



LOCAL TRAFFIC COMMITTEE MEETING

MINUTES

1 AUGUST 2024



1 AUGUST 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
	COMMENCEMENT.....	1
1	ACKNOWLEDGEMENT OF COUNTRY.....	1
2	APOLOGIES AND LEAVE OF ABSENCE	1
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
4	BUSINESS ARISING FROM MINUTES	1
5	GENERAL BUSINESS.....	2
5.1	2024 RIVERLIGHTS MULTICULTURAL FESTIVAL.....	2
5.2	NOTIFICATION OF IMPLEMENTED WORKS UNDER CONDITION 10 OF THE CHANGES (NO. 2) TO TEMPORARY DELEGATIONS TO COUNCILS FOR TRAFFIC MANAGEMENT & PEDESTRIAN WORKS.....	5
5.3	OTHER GENERAL BUSINESS	10
5.3.1.	Weber Bros “The Circus” – 26th August to 9th September 2024.....	10
5.3.2.	Correspondence items received from Jenny Aitcheson’s Office.....	10
5.3.3.	Proposal for no right turn onto Paterson Road from Maitland Road, Bolwarra.....	11
5.3.4.	Update on a proposal for a No Right Turn sign in the 4WD Industries driveway, New England Highway, Rutherford.....	11
5.3.5.	Bus Stop temporary closure on Settlers Boulevard, Chisholm.....	11
5.3.6.	Intersections in Chisholm.....	12
6	CLOSURE.....	13

LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024

PRESENT

Stephen Smith – Maitland City Council (Chairperson)
Giovanna Kozary– State Member's Representative
Mark Morrison – Transport for NSW Representative
Sergeant Amber Brown – Maitland Police Representative
Senior Constable Josh Tyacke - Maitland Police Representative
Chris Pinchen – Maitland City Council
Kate Taylor – Maitland City Council
Steven Roach – Maitland City Council
Jalal Irfani - Maitland City Council
Claire Corcoran - Maitland City Council
Gemma McMahon - Maitland City Council
Christina Devine – Maitland City Council (minute taker)

COMMENCEMENT

The meeting was declared open at 9:35 am.

1 ACKNOWLEDGEMENT OF COUNTRY

2 APOLOGIES AND LEAVE OF ABSENCE

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- No objection or amendments were received within the two week notification period with regards to the distributed Minutes of the Local Traffic Committee Meeting held 4 July 2024 and the minutes were hereby considered adopted on 18 July 2024.

4 BUSINESS ARISING FROM MINUTES

1 AUGUST 2024

5 GENERAL BUSINESS

5.1 2024 RIVERLIGHTS MULTICULTURAL FESTIVAL

FILE NO: 412983

ATTACHMENTS: 1. Riverlights Traffic Guidance Scheme

AUTHOR: Traffic Management Officer
Operations Manager Transport & Infrastructure Engineering
Events Officer

EXECUTIVE SUMMARY

Maitland Riverlights Festival will be held on Saturday 12 October 2024, with the set up and pack down of stalls and infrastructure occurring from Thursday 10 October 2024 to Sunday 13 October 2024.

Council proposes a closure footprint consisting of The Levee Shared Zone, Dransfield Lane, and Bulwer Street, Maitland. The Traffic Guidance Scheme for the event is submitted to the Local Traffic Committee for review and acceptance.

OFFICER'S RECOMMENDATION

THAT

1. The following temporary road closures associated with the set up and presentation of the proposed Riverlights Festival from 3.00pm Thursday 10 October 2024 to 5.00pm Sunday 13 October 2024 be approved.
 - a) The Levee – from Elgin Street to Bourke Street, Maitland.
 - b) Bulwer Street – from High Street to just north of 10 Bulwer Street, Maitland.
 - c) Dransfield Lane - from Bulwer Street and Elgin Street, Maitland.
2. The installation of road closure devices and signs to affect the proposed road closures also be approved.

COMMITTEE RECOMMENDATION

THAT

1. The following temporary road closures associated with the set up and presentation of the proposed Riverlights Festival from 3.00pm Thursday 10 October 2024 to 5.00pm Sunday 13 October 2024 be approved.
 - a) The Levee – from Elgin Street to Bourke Street, Maitland.

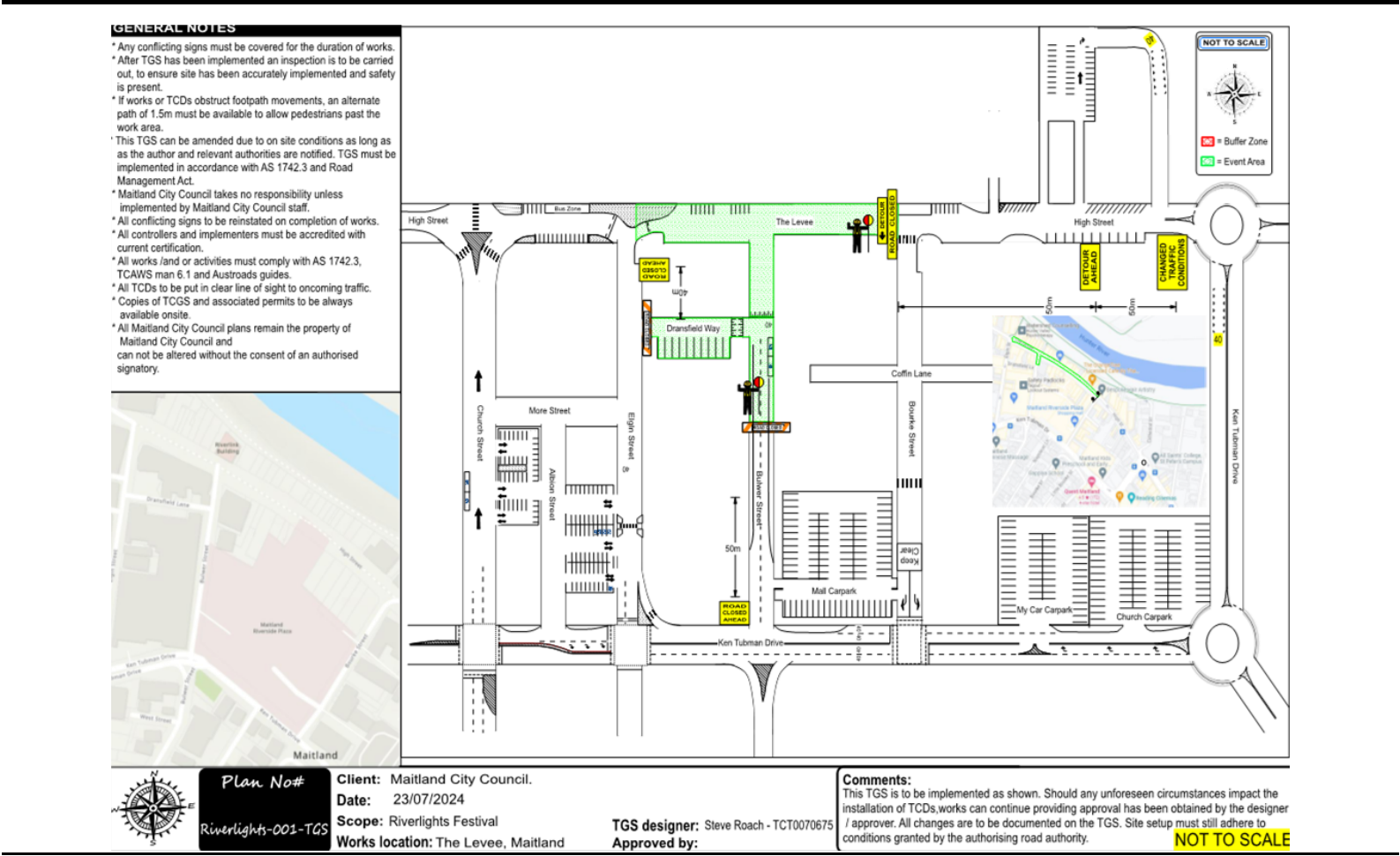
LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024

- b) **Bulwer Street - from High Street to just north of 10 Bulwer Street, Maitland.**
- c) **Dransfield Lane - from Bulwer Street and Elgin Street, Maitland.**
- 2. **The installation of road closure devices and signs to affect the proposed road closures also be approved.**

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024



LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024

5.2 NOTIFICATION OF IMPLEMENTED WORKS UNDER CONDITION 10 OF THE CHANGES (NO. 2) TO TEMPORARY DELEGATIONS TO COUNCILS FOR TRAFFIC MANAGEMENT & PEDESTRIAN WORKS**FILE NO:** 140/5**ATTACHMENTS:**

- 1. NS1 line marking plan - Lilium Street
- 2. NS1 line marking plan - Linden Street
- 3. Traffic Management Devices - Queens Wharf Road

AUTHOR: Operations Manager Transport & Infrastructure
Engineering
Traffic Management Officer
Road Safety Officer
Manager Assets and Engineering**EXECUTIVE SUMMARY**

In accordance with the issue of the Instrument of Delegation and Authorisation for Traffic Management and Pedestrian Works, Temporary Delegation to Councils No. 2 on behalf of Transport for NSW by the Secretary of the Department of Transport on the 12 December 2023 the following report presents those items which are to be completed or have been undertaken utilizing this delegated authority and is tabled "for information only" as a record of works having been carried out under this instrument.

OFFICER'S RECOMMENDATION**THAT**

1. In accordance with Schedule 4, Condition 10 of the Instrument of Delegation and Authorisation for Traffic Management and Pedestrian Works, Temporary Delegation to Councils No. 2 dated 12 December 2023; the following items are recorded "for information only" as works that are to be completed or have been carried out by Council under this instrument.
 - a. NS1 line marking be implemented around the kerb returns at the intersection of Lilium Street and Livistonia Drive, Lochinvar.
 - b. NS1 line marking be implemented around the kerb returns at the intersection of Linden Street and Livistonia Drive, Lochinvar.
 - c. Traffic management devices including NS1 line marking, accessible car space & zone, kerb buildouts, speed cushions and signage at Queens Wharf Road, Morpeth.

LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024

COMMITTEE RECOMMENDATION**THAT**

1. In accordance with Schedule 4, Condition 10 of the Instrument of Delegation and Authorisation for Traffic Management and Pedestrian Works, Temporary Delegation to Councils No. 2 dated 12 December 2023; the following items are recorded “for information only” as works that are to be completed or have been carried out by Council under this instrument.
 - a. NS1 line marking be implemented around the kerb returns at the intersection of Liliun Street and Livistonia Drive, Lochinvar.
 - b. NS1 line marking be implemented around the kerb returns at the intersection of Linden Street and Livistonia Drive, Lochinvar.
 - c. Traffic management devices including NS1 line marking, accessible car space & zone, kerb buildouts, speed cushions and signage at Queens Wharf Road, Morpeth.

1 AUGUST 2024



Maitland City Council | Ordinary Meeting Agenda

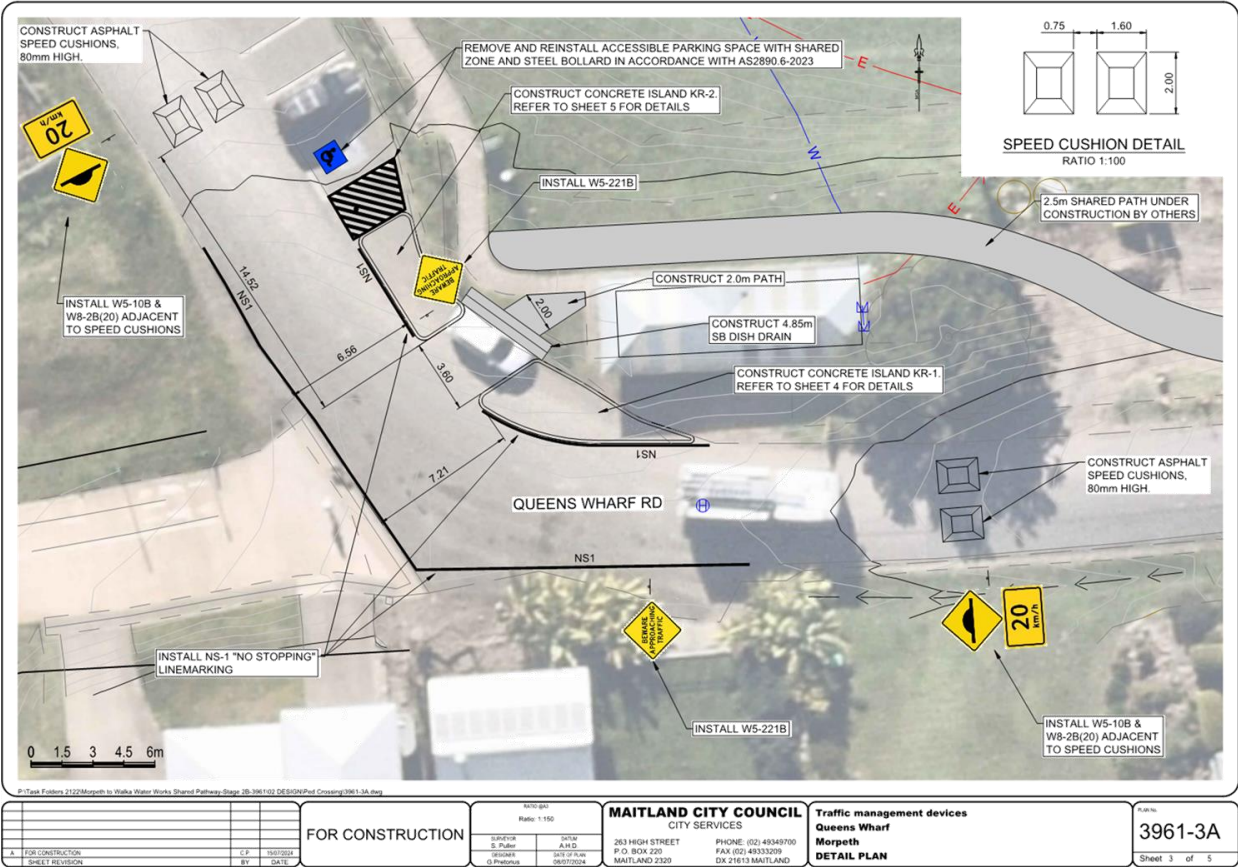
LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024



LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024



LOCAL TRAFFIC COMMITTEE MEETING MINUTES**1 AUGUST 2024****5.3 OTHER GENERAL BUSINESS****5.3.1. Weber Bros "The Circus" – 26th August to 9th September 2024**

- Details:
 - Location: The Garnham Grounds (Rally Ground) at 100 Church Street, Maitland.
 - Average of 250 pax per show, expected cars 50-200.
 - Shows would operate outside of peak traffic hours (evenings and weekends).
 - Parking provided on site.
- Points for consideration:
 - Lighting.
 - Pedestrian management.
 - Queuing on road and roundabout.
 - Wayfinding (no right turn).
 - Traffic control of Church Street.
 - Impact on traffic if an accident should occur.
- Additional information and a traffic management plan required.
- Once additional information is provided, Council will assess and share with Local Traffic Committee members electronically for consideration as a special item.

5.3.2. Correspondence items received from Jenny Aitcheson's Office

- Request for additional bus stop for morning service to Maitland Christian School
 - Issue raised: There is a safety issue with crossing South Seas Drive and traversing the New England Highway, Ashtonfield.
 - Council Response: There is existing pedestrian crossings at the traffic lights.
- Request for 50km signage in Second Avenue, Rutherford
 - Issue raised: There was a crash earlier this year and vehicles regularly speed on this road.
 - Council response: This location is under investigation, with speed classifiers being utilised. However, signage is not required as the 50km/h default limit applies to all urban roads without a speed sign.
- Request to prevent dirt bikes entering Weblands Reserve, Rutherford
 - Issue raised: Noise and danger to pedestrians. Ongoing issue with little

LOCAL TRAFFIC COMMITTEE MEETING MINUTES**1 AUGUST 2024**

resolution.

- Council response: Communication has been provided to residents.
- Request for Council to manage car park off Chelmsford Drive, Metford and prevent 'car meets' being held there
 - Issue raised: The car meets take up car parks for hours and prevent shop patrons from accessing parking. Shopping centre have arranged own security but would prefer this to be managed by Council.
 - NSW Police response: Patrols have been carried out and people involved have been spoken to about the issue.
 - Council response: Option of a 'Free Parking Agreement' with Council, whereby Rangers would patrol the car park – there are fees involved. Owner to reach out to Council to arrange. If the meet is an event, Council could also assist in finding alternative locations.
- Request for another pedestrian crossing in High Street, Morpeth
 - Issue raised: Elderly people can't move across the road quickly, and would benefit from another safe place to cross the road.
 - Council response: Another crossing is not being considered at this time.

5.3.3. Proposal for no right turn onto Paterson Road from Maitland Road, Bolwarra

- NSW Police suggestion for no right turn or no right turn during peak hours coming out of Maitland Road, southbound at the intersection of Paterson Road, Bolwarra.
- Council response: Officers to investigate intersection and need for signage.

5.3.4. Update on a proposal for a No Right Turn sign in the 4WD Industries driveway, New England Highway, Rutherford

- Background - The proposal suggested the No Right Turn sign in the 4WD Industries driveway for consistency, as the two business driveways either side have No Right Turn signs. The location is on the New England Highway between Anambah Road and Kyle Streets, Rutherford.
- Outcome from NSW Transport – Single business driveways are treated differently to multi business driveways, and therefore a sign is not deemed necessary for the 4WD Industries driveway.

5.3.5. Bus Stop temporary closure on Settlers Boulevard, Chisholm

- Correspondence sent to NSW Transport regarding a developer request to designate a work zone and temporarily close a bus stop.
- CDC buses don't use the bus stop currently, it was installed as a future

LOCAL TRAFFIC COMMITTEE MEETING MINUTES**1 AUGUST 2024**

site.

- This is a Temporary Work Zone Application, a Council matter, and will be handled accordingly.

5.3.6. Intersections in Chisholm

- Roundabout at Tigerhawk Street and Heritage Drive, Chisholm
 - Black spot funding grant approved.
 - Note: Council now submits video evidence to assist with funding submissions being approved.
- Roundabout at Arrowtail Street and Heritage Drive, Chisholm
 - Council looking into the addition of yellow line marking.
- Intersection of Grasshawk Drive and Dragonfly Drive, Chisholm
 - There have been 4 accidents at this intersection this year.
 - Line marking has been repainted.
 - Line marking extended to 20m in length on Grasshawk Drive.
 - Large give way signs installed on both sides of intersection.

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

LOCAL TRAFFIC COMMITTEE MEETING MINUTES

1 AUGUST 2024

6 CLOSURE

The meeting was declared closed at 10:54 am.

Officers Reports

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024)

Agenda Item 5.1 - Event - 2024 Riverlights Multicultural Festival

Meeting Date: 27 August 2024

Attachment No: 2

Number of Pages: 7

1 AUGUST 2024

5 GENERAL BUSINESS

5.1 2024 RIVERLIGHTS MULTICULTURAL FESTIVAL

FILE NO: 412983

ATTACHMENTS: 1. Riverlights Traffic Guidance Scheme

AUTHOR: Steven Roach - Traffic Management Officer
Chris Pinchen - Operations Manager Transport & Infrastructure Engineering
Claire Corcoran - Events Officer

EXECUTIVE SUMMARY

Maitland Riverlights Festival will be held on Saturday 12 October 2024, with the set up and pack down of stalls and infrastructure occurring from Thursday 10 October 2024 to Sunday 13 October 2024.

Council proposes a closure footprint consisting of The Levee Shared Zone, Dransfield Lane, and Bulwer Street, Maitland. The Traffic Guidance Scheme for the event is submitted to the Local Traffic Committee for review and acceptance.

OFFICER'S RECOMMENDATION

THAT

1. The following temporary road closures associated with the set up and presentation of the proposed Riverlights Festival from 3.00pm Thursday 10 October 2024 to 5.00pm Sunday 13 October 2024 be approved.
 - a) The Levee – from Elgin Street to Bourke Street, Maitland.
 - b) Bulwer Street – from High Street to just north of 10 Bulwer Street, Maitland.
 - c) Dransfield Lane - from Bulwer Street and Elgin Street, Maitland.
2. The installation of road closure devices and signs to affect the proposed road closures also be approved.

PURPOSE

The purpose of the temporary road closures is to provide event traffic management control to address public safety for the running of the Riverlights Festival. Stalls, food trucks and activities will be conducted within the closure areas of The Levee, Bulwer Street and Dransfield Lane, Maitland.

BACKGROUND

Maitland Riverlights Festival celebrates diversity through food, music, dance and interactive experiences. The event transforms The Levee into a global village. Visitors can see, taste, feel and experience the different cultures being demonstrated and

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)

activities such as live music, dancing, language classes, lantern making and cooking demonstrations.

This year's event will be held on Saturday 12 October 2024, with the set up and pack down of stalls and infrastructure occurring from Thursday 10 October 2024 to Sunday 13 October 2024. Council proposes a closure footprint consisting of The Levee Shared Zone, Dransfield Lane, and Bulwer Street, Maitland.

PROPOSAL

A concept Traffic Guidance Scheme Plan has been prepared by Council for the purpose of demonstrating closure points based upon previously held events. The Traffic Guidance Scheme (TGS) plan has been updated for this footprint. The footprint consists of:

- The Levee – Manned closure between Elgin Street and Bourke Street, Maitland.
- Bulwer Street – Manned closure from High Street to just north of 10 Bulwer Street, Maitland.
- Dransfield Lane – Un-manned closure between Bulwer Street and Elgin Street, Maitland.

An unmanned road closure has been nominated at Dransfield Lane due to low road volumes. Manned road closures have been nominated for bump in/out and during event times at High Street and Bulwer Street to help facilitate service vehicle access on these higher volume corridors. Overnight, the road closures will be left in place unmanned. This traffic management arrangement for manned/unmanned closures has historically been applied for the event without incident.

As vehicles can continue to navigate around the event utilizing Bourke Street and Ken Tubman Drive as the primary thoroughfares, it is expected that the trafficable impact will be low.

The engaged Traffic Control contractor will be responsible for preparing and implementing a Traffic Guidance Scheme to align with the provided concept.

ASSESSMENT

Existing Conditions:

ROAD NAME	HIGH STREET THE LEVEE	BULWER STREET THE LEVEE	DRANSFIELD LANE
Road Classification	Local	Local	Local
Adjacent Land Use	Business	Business	Business/ carpark
Road Width	Road reserve 20m (travel lane 3.5m one-way)	Road reserve 15.4m (carriageway)	Road reserve 5.0m

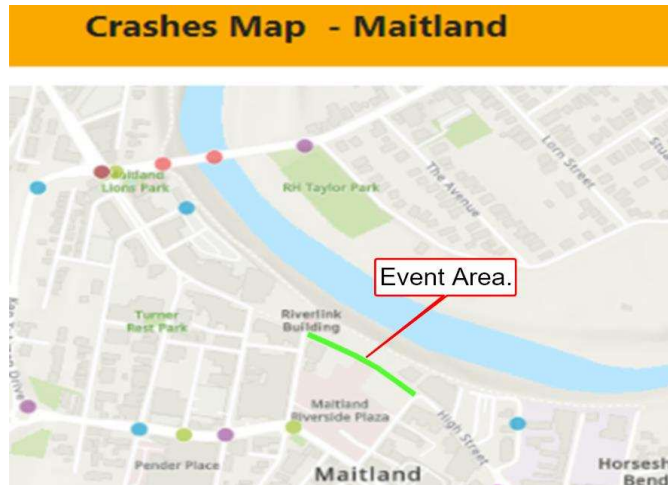
LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)

ROAD NAME	HIGH STREET THE LEVEE	BULWER STREET THE LEVEE	DRANSFIELD LANE
	westbound)	9.6m; footway 2.9m)	
Traffic/Pedestrian Volumes	n/a - Closed to vehicle traffic during event	n/a - Partly closed to vehicle traffic during event	n/a - Closed to vehicle traffic during event
Speed Limit	10km/h The Levee shared zone	50km/h	50km/h
85th Percentile Speed	20.7km/h	25.9km/h	26.3km/h
Accident History	No Accidents in affected areas	No Accidents in affected areas	No Accidents in affected areas

The TfNSW crash map indicates no accident have been reported within the event area/ closure points over the five (5) year period from 2018-2022.



WITH PROPOSAL:

CONSIDERATIONS	COMMENTS INCLUDING IMPACTS
Access	<p>Road: Temporary road closures at:</p> <ul style="list-style-type: none"> High Street between Bourke Street and Elgin Street, Maitland. Bulwer Street, from High Street to just north 10 Bulwer Street, Maitland.

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)

CONSIDERATIONS	COMMENTS INCLUDING IMPACTS
	<ul style="list-style-type: none"> Dransfield Lane from Elgin Street to Bulwer Street, Maitland. <p>Low disruption to local traffic will be experienced within these closures as the surrounding road network is sufficient to carry detoured traffic.</p> <p>Parking: Vehicles accessing the K-mart underground car park can enter/exit via Bulwer Street and Bourke Street, Maitland. On street parking will be restricted within the levee during closure times.</p>
Traffic impacts	Elgin Street and Bourke Street traffic flow will be unaffected.
Speed	No change to posted speed limits. Event area closed to vehicle traffic. Walking speed only.
Active Transport (walk/cycle)	<p>Pedestrians: Temporary road closures in the planned event areas.</p> <p>Cyclists: Temporary road closures in the planned event areas.</p>
Public Transport (buses/taxis)	<p>Bus routes/ stops: Unaffected.</p> <p>Taxis: Unaffected</p>
Freight Transport	Service vehicles: Service vehicles may have to enter the road closure area. These movements are to be managed by Traffic Control.

COMMUNITY CONSULTATION

The event and associated temporary road closures were advertised in the Maitland Mercury newspaper for the statutory 28-day period commencing 28 June 2024. There were no submissions received at the time of reporting. Any submissions received will be reviewed and reported to Council. In recent years no submissions have been received.

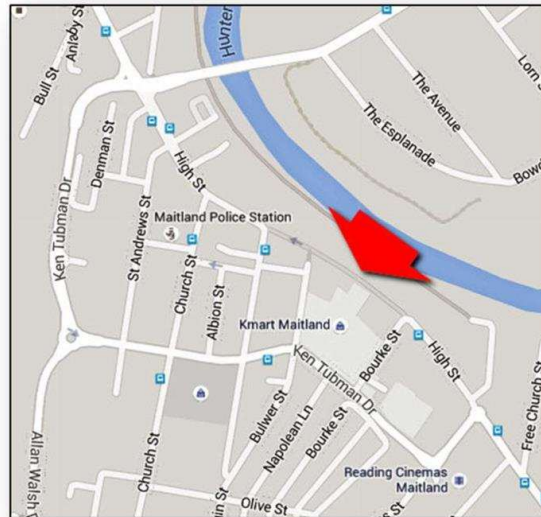
CONCLUSION

A concept Traffic Guidance Scheme Plan has been prepared by Council for the purpose of demonstrating closure points based upon previously held events. The event includes road closure points to prevent unnecessary vehicle access. The impact on the local road network is expected to be low. The engaged Traffic Control contractor is responsible for preparing and implementing a Traffic Guidance Scheme to align with the provided concept.

LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024) (Cont.)

1 AUGUST 2024

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)



Locality diagram



Site photo- Riverlights 2023

1 AUGUST 2024

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)

General Business

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL

Riverlights Traffic Guidance Scheme

Meeting Date: 1 August 2024

Attachment No: 1

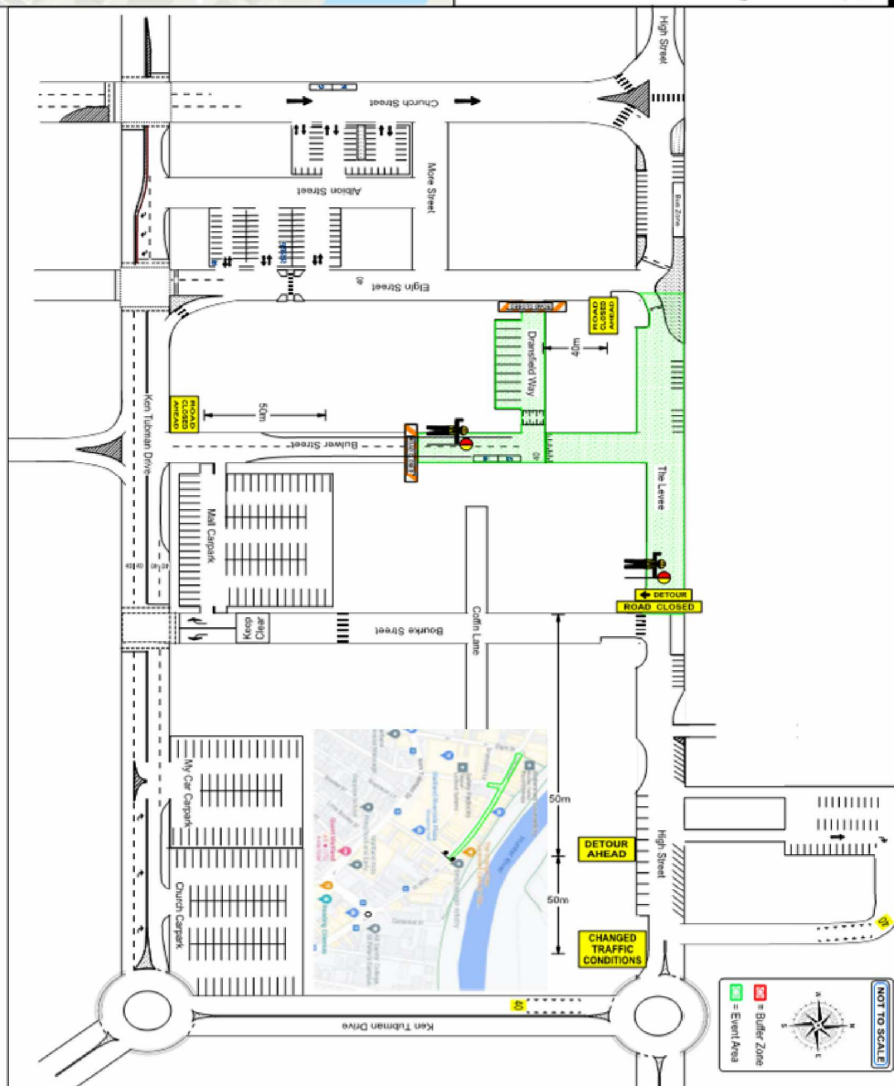
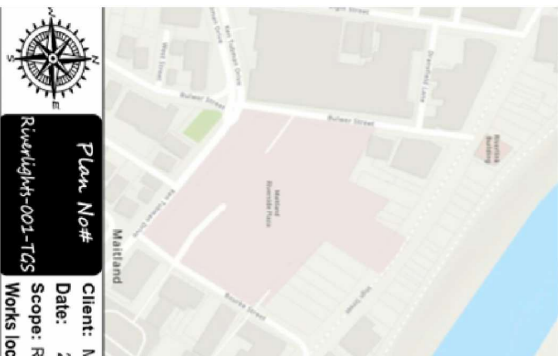
Number of Pages: 1

2024 RIVERLIGHTS MULTICULTURAL FESTIVAL (Cont.)

1 AUGUST 2024

GENERAL NOTES

- Any conflicting signs must be covered for the duration of works.
- After TGS has been implemented an inspection is to be carried out, to ensure site has been accurately implemented and safety is present.
- If works or CDDs obstruct footpath movements, an alternate path of 1.5m must be available to allow pedestrians past the work area.
- This TGS can be amended due to on site conditions as long as the author and relevant authorities are notified. TGS must be implemented in accordance with AS 1742.3 and Road Management Act.
- Maitland City Council takes no responsibility unless implemented by Maitland City Council staff.
- All conflicting signs to be reinstated on completion of works.
- All contractors and implementers must be accredited with current certification.
- All works and/or activities must comply with AS 1742.3, TCMS and 6.1 and Australiads duties.
- All TGS to be put in clear line of sight to oncoming traffic.
- Copies of TGSs and associated permits to be always available on site.
- All Maitland City Council plans remain the property of Maitland City Council and
- can not be altered without the consent of an authorised signatory.



Plan No#

Client: Maitland City Council.

Date: 23/07/2024

Scope: Riverlights Festival

Works location: The Levee, Maitland

TGS designer: Steve Roach - TCT0070675
Approved by:

Comments: This TGS is to be implemented as shown. Should any unforeseen circumstances impact the installation of TCDs works can continue providing approval has been obtained by the designer / approver. All changes are to be documented on the TGS. Site setup must still adhere to conditions granted by the authorising road authority.

NOT TO SCALE

11 POLICY AND FINANCE COMMITTEE

11.1 COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY

FILE NO:	35/1/2 AND 35/1/3
ATTACHMENTS:	1. Council Services and Facilities - Christmas and New Year Policy 2020 2. Council Services and Facilities - Christmas and New Year Policy 2024
RESPONSIBLE OFFICER:	Tiffany Allen - Executive Manager People and Performance
AUTHOR:	Jade Griffin - Manager Communications, Marketing and Engagement
MAITLAND +10	Outcome 16 To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.2.3 Provide an environment of safety and wellbeing for Council's workforce

EXECUTIVE SUMMARY

The Council Services and Facilities – Christmas and New Years Policy was last adopted 8 December 2020 and has been reviewed in accordance with Council's policy review. This is the revised Policy that is being presented to Council for adoption.

OFFICER'S RECOMMENDATION

THAT

- 1. The Council Services and Facilities – Christmas and New Year's Policy – 2020 be rescinded.**
- 2. The Council Services and Facilities – Christmas and New Year's Policy – 2024 be adopted.**

REPORT

A review of the Council Services and Facilities – Christmas and New Years Policy has been updated in accordance with Council's policy review.

The changes to the policy include the identification of the closure of community facilities and that the bulky waste service will not be operating during the Christmas and New Year period. The Maitland Visitor Information Centre will be closed on Boxing Day and New Year's Day. The cleaning of all public toilets has been included as an essential service that will run during this period.

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)

The Maitland City Council community will be directed to Council's website or the facility itself for information on each of the venues operating hours during the Christmas and New Year period.

CONCLUSION

The draft Council Services and Facilities – Christmas and New Years Policy 2024 is presented for approval and adoption.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

This matter will require an update to Councils Policy Register.

STATUTORY IMPLICATIONS

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

Policy and Finance Committee

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY

Council Services and Facilities - Christmas and New Year Policy 2020

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 2

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)



DATE ADOPTED: 8 December 2020

VERSION: 4.0

POLICY OBJECTIVES

The objective of this policy is to communicate Council's decision to close non-essential services and facilities during the Christmas and New Year period.

POLICY SCOPE

This policy applies to all Maitland City Council services and facilities.

POLICY STATEMENT

During the period between Christmas and New Year Council's administration building, depot facility and libraries will be closed.

Other Council facilities will be closed on Christmas Day and may re-open prior to the new year with changes to their operating hours. Please contact the facility directly or visit Council's website for more information. These facilities include:

- East Maitland and Maitland Swimming Pools
- Maitland Gaol
- Maitland Regional Art Gallery
- Maitland Visitor Information Centre – will be closed Boxing Day, reopens New Year's Day
- Mt Vincent Waste Management Centre.

The community will be made aware of any operational changes to Council services and facilities during the Christmas and New Year period. Council will communicate these changes by undertaking appropriate advertising through notices in a local newspaper, Council's website and social media.

Throughout this period Council will continue to provide essential services to ensure the health and safety of the community. Essential services include:

- After hours call service for emergencies
- CBD cleaning
- Cleaning of community facilities as required
- Kerbside garbage collection (collections will not operate on Christmas Day. Bins will be collected the following day)
- Street sweeping.

Council will still provide appropriate on-call officers to respond to urgent maintenance work or emergency situations. If such a situation arises, the community is asked to contact the after-hours service on 4934 9700. The after-hours service will then contact the on-call officers. These officers can be contacted by calling the Council's Citizen Services (4934 9700) and you will then be redirected to the after-hours operator.

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)

Any Council staff affected by the closure of facilities during this period will be required to take leave from annual, rostered or agreed leave balances to cover absence on normal working days.

POLICY DEFINITIONS

Depot facilities:	Includes the services provided through the Maitland City Council Metford Road Works Depot.
Emergency situation:	There is an immediate risk to health, life, property or the environment.

POLICY ADMINISTRATION

BUSINESS GROUP:	Strategy, Performance and Business Systems
RESPONSIBLE OFFICER:	Group Manager Strategy, Performance and Business Systems
COUNCIL REFERENCE:	Ordinary Meeting
POLICY REVIEW DATE:	Three (3) years from date of adoption
FILE NUMBER:	35/1
RELEVANT LEGISLATION	Local Government (State) Award 2020
RELATED POLICIES / PROCEDURES / PROTOCOLS	Nil

POLICY HISTORY

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	25/01/2000	New policy adopted
2.0	12/11/2013	Policy Review
3.0	25/10/2016	Periodic policy review. Title changed from 'Closure of Council Facilities – Christmas and New Year' to 'Council Services and Facilities – Christmas and New Year'
4.0	08/12/2020	Periodic policy review. Change to Visitor Information Centre operating hours to meet the requirement of remaining open 363 days of the year.



Policy and Finance Committee

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY

Council Services and Facilities - Christmas and New Year Policy 2024

Meeting Date: 27 August 2024

Attachment No: 2

Number of Pages: 3

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)

**DATE ADOPTED:****VERSION: 5.0****POLICY OBJECTIVES**

The objective of this policy is to communicate Council's decision to close non-essential services and facilities during the Christmas and New Year period.

POLICY SCOPE

This policy applies to all Maitland City Council services and facilities.

POLICY STATEMENT

During the period between Christmas and New Year the following Council facilities will be closed:

- Maitland Administration Centre,
- Depot facility,
- Community facilities,
- Libraries and,
- The bulky waste service will not be operating.

Other Council facilities will be closed on Christmas Day and may re-open prior to the new year with changes to their operating hours. Please contact the facility directly or visit Council's website for more information. These services and facilities include:

- East Maitland and Maitland Swimming Pools,
- Maitland Gaol,
- Maitland Regional Art Gallery – will be closed Boxing Day and New Year's Day,
- Maitland Visitor Information Centre – will be closed Boxing Day and New Year's Day,
- Maitland Resource Recovery Facility.

The community will be made aware of any operational changes to Council services and facilities during the Christmas and New Year period. Council will communicate these changes by undertaking appropriate advertising through notices in a local newspaper, Council's website and social media.

Throughout this period Council will continue to provide essential services to ensure the health and safety of the community. Essential services include:

- After hours call service for emergencies,
- Cleaning services for The Levee and all public toilets,
- Cleaning of community facilities as required,
- Kerbside garbage collection (collections will not operate on Christmas Day. Bins will be collected the following day),
- Street sweeping.

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)

Council will still provide appropriate on call officers to respond to urgent maintenance work or emergency situations. If such a situation arises, the community is asked to contact the after hours service on 02 4934 9700. The after hours service will then contact the on call officers.

Any Council staff affected by the closure of facilities during this period will be required to take leave from annual, rostered or agreed leave balances to cover absence on normal working days.

POLICY DEFINITIONS

Bulky Waste Service	Refers to the booked kerbside bulky waste collection only. Regular garbage collection will operate as normal during this period, excluding Christmas Day.
Depot facilities:	Includes the services provided through the Maitland City Council Metford Road Works Depot.
Emergency situation:	There is an immediate risk to health, life, property or the environment.

POLICY ADMINISTRATION

BUSINESS GROUP:	People & Performance
RESPONSIBLE OFFICER:	Executive Manager People & Performance
COUNCIL REFERENCE:	Ordinary Meeting
POLICY REVIEW DATE:	Three (3) years from date of adoption
FILE NUMBER:	35/1
RELEVANT LEGISLATION	Local Government (State) Award 2023
RELATED POLICIES / PROCEDURES / PROTOCOLS	Nil

COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)

POLICY HISTORY

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	25/01/2000	New policy adopted
2.0	12/11/2013	Policy Review
3.0	25/10/2016	Periodic policy review. Title changed from 'Closure of Council Facilities – Christmas and New Year' to 'Council Services and Facilities – Christmas and New Year'
4.0	08/12/2020	Periodic policy review. Change to Visitor Information Centre operating hours to meet the requirement of remaining open 363 days of the year.
5.0	TBA	Periodic policy review. Change to Visitor Information Centre operating hours. Inclusion of the closure of Community Facilities and Bulky Waste Service and the servicing of public toilets.



COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY (Cont.)



11.2 BUDGET CARRY OVERS FROM 2023/24 TO 2024/25

FILE NO:	2/8/24
ATTACHMENTS:	Nil
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

On 11 June 2024 Council adopted the Operational Plan 2024/25 which included the budget. A number of projects that were included in the Operational Plan 2023/24 were started as at 30 June 2024. These works have been identified and included as Internally Restricted Assets in Council's financial statements for the year ended 30 June 2024, to ensure that funds are set aside to finance the works.

Those projects that were included in the Operational Plan for 2023/24 that were not started as at 30 June 2024 require Council approval to form part of the Operational Plan 2024/25.

OFFICER'S RECOMMENDATION**THAT**

- 1. The carry over works from 2023/24 be approved and form part of the Operational Plan 2024/25.**

REPORT

The following funded projects that were included in the Operational Plan for 2023/24 totaling \$1,927,919 had not commenced as at 30 June 2024 and must be re-voted by Council:

BUDGET CARRY OVERS FROM 2023/24 TO 2024/25 (Cont.)

Project Description	Amount
	\$
Median construction & Access works @ Lochinvar	619,952
Windermere Rd, Windermere (Guardrail - Culvert over Lochinvar Creek)	179,527
Sharkleys Lane Traffic Control **	27,495
Anambah & Capney Rd Traffic Calming **	39,221
Tenambit Hall - Fire Safety Works	21,120
Town Centre Hub - Lochinvar (Central Catchment)	250,000
East Maitland Catalyst Area RHSPF R2 Grant **	243,000
Morpeth to WWW shared pathway interpretation plan **	10,000
Illegal Dumping Grant **	53,544
EPA FOGO Program R1 Grant **	329,060
Local Government Waste Solution Fund R1 Grant **	55,000
Implement of Government Framework Strategy	30,000
Community Engagement Strategy Action Plan	70,000
Total	1,927,919

** Refers to those projects that are partly or fully funded by grants

CONCLUSION

The carry overs listed are now recommended for adoption.

FINANCIAL IMPLICATIONS

The carry overs listed are fully funded from monies restricted as at 30 June 2024. The impact to the operational budget is an additional cost of \$790,604 as the remainder of carry overs are capital in nature.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

The approval of expenditure and voting of money to meet expenditure for carry over works is required under section 211 of the *Local Government (General) Regulation 2005 (NSW)*.

11.3 STATEMENT OF INVESTMENTS AS AT 31 JULY 2024

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 31 July 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 July 2024, Council had investments totalling \$209,575,898 under management. Council's investment portfolio recorded a marked-to-market return of 5.91% per annum versus the bank bill index benchmark return of 4.49% per annum. The actual investment return for the month of July was \$1,075,664, a favourable variance of \$405,438 when compared to the monthly budget forecasts of \$670,226.

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 July 2024, Council has total cash on call and investments of \$209,575,898 comprising:

- On call accounts \$8,054,243
- Investments \$201,521,654

This compared to the month of June 2024 where Council had \$217,395,356 under management. The reduction in Council's investment holdings is due to the expected increase in expenditure following the end of the previous financial year. Whilst Council has in excess of \$200 million under management, 62% of the portfolio is externally restricted funds, pertaining to developer contributions and domestic waste management reserves.

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

In July, Council's investment portfolio recorded a marked-to-market return of 5.91% per annum versus the bank bill index benchmark return of 4.49% per annum. The valuations on Council's fixed rate bonds surged at the end of the month as long dated interest rates declined in the market due to inflation concerns cooling down. Over the past 12 months, the investment portfolio has returned a marked-to-market return of 5.16%, versus the bank bill index benchmark's 4.37%.

Without marked-to-market influences, Council's investment portfolio yielded 5.16% 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 July, Council had maturities of \$11 million across four term deposits with maturities between 6 and 12 months which were paying an average of 5.37% per annum. A \$1.2 million 5 year Suncorp Floating Rate Note paying 3 month bank bill swap rate +0.78% also matured as did a \$2 million Suncorp fixed rate bond yielding 1.85%. Council invested \$8.5 million among three new 12 month NAB deposits paying an average rate of 5.39%.

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:

- Global interest rates are continuing to decline as the focus for central bankers shifts from getting inflation down to avoiding recession.
 - The Bank of Canada cut its key policy rate by 25 basis points for the second consecutive meeting taking it to 4.5% and more cuts are expected.
 - In the United States, the risk of recession is growing with the rise in unemployment approaching levels that in the past have signalled recession and inflation pressures have abated. The Federal Reserve is expected to cut rates at its next meeting.
 - Economists expect the United Kingdom, New Zealand and the European Central Bank will cut rates over the next three months which would confirm that a global easing cycle in developed countries is well underway.
- The International Monetary Fund again revised up slightly its global growth outlook highlighting that for now the global growth outlook is good. Reflecting the unexpected resilience of the global economy, the International Monetary Fund left its global growth forecast for 2024 unchanged at 3.2% and revised up its 2025 forecast slightly to 3.3%.
- Major global share markets mostly all ended higher in July as inflation fears continued to subside. The Australian share market led the gainers to kick off the new financial year, up nearly 4%. The ASX200 managed to reach record highs, breaking through the 8000 level after having been below 7000 only 9 months ago. The United States (+1.2%), Europe (+1.2%) and China (+0.3%) also recorded gains. Japanese shares slipped by 0.5%.

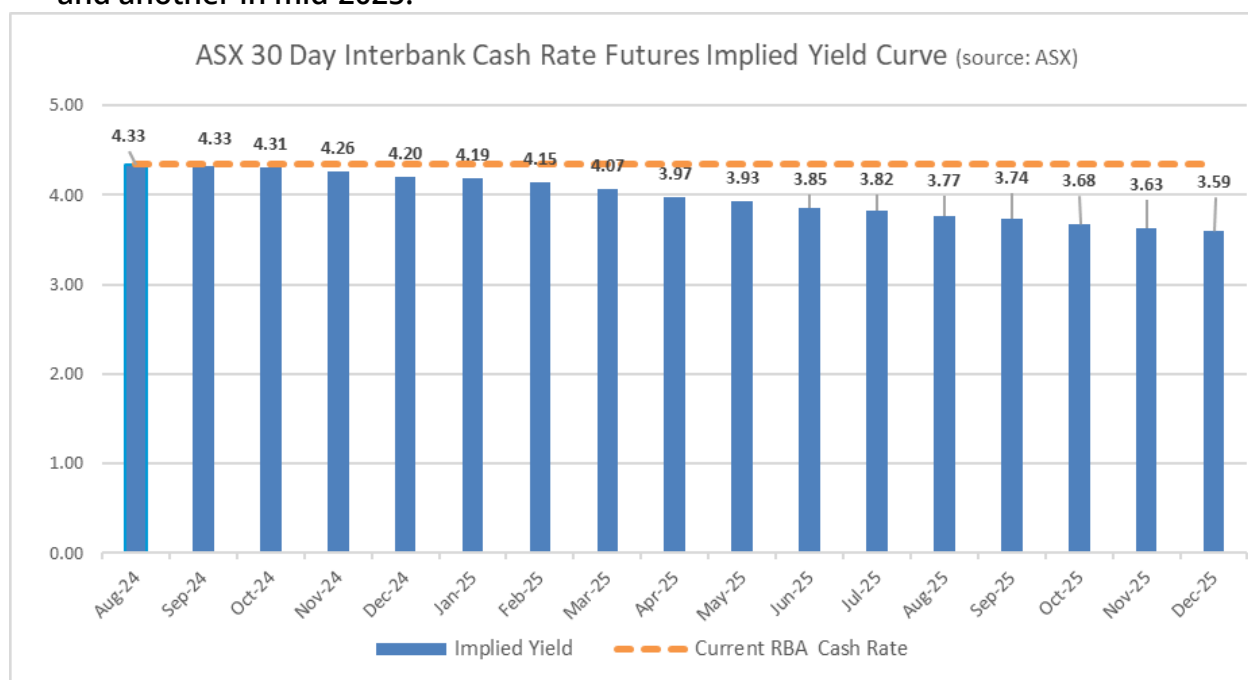
Domestic issues – commentary provided by Prudential Investment Services:

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

- The highly anticipated quarterly inflation data released at the end of July came in at market and RBA expectations, 1.0% over the quarter and 3.8% for the year. This was enough for the market to believe that the RBA will keep rates unchanged at its upcoming meeting and immediately priced in a rate cut by March.
- The RBA's preferred measure of underlying inflation, the trimmed mean, edged down slightly from 4% to 3.9% and is only a bit above the RBA's May forecast of 3.8%. Economists believe the RBA would have felt more compelled to raise interest rates if underlying inflation was at or above 4% or a bit higher.
- Higher rents, building construction costs, insurance premiums and fuel prices had the biggest increases over the quarter.
- The latest job data release surprised on the upside with 50,000 new jobs being filled, mostly full time positions, versus expectations of +20,000. Despite this, the unemployment rate ticked up to 4.1% from 4% due to increase in the proportion of Australians aged 15 and over in work or looking for it (i.e. the participation rate).

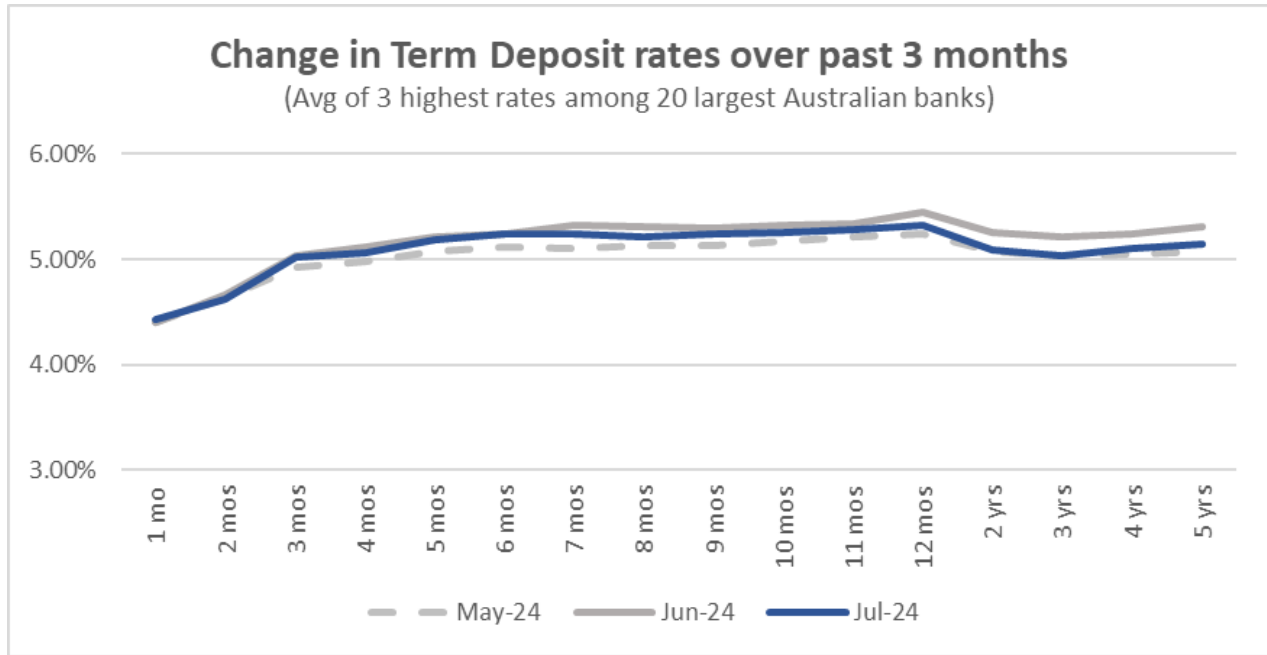
Interest rates – commentary provided by Prudential Investment Services:

- The RBA kept the official cash rate unchanged at 4.35% following its meeting in June with the next meeting in early-August.
- The quarterly inflation data released on the last day of July confirmed growing expectations that price pressures, while still stubbornly above target range, are likely not bad enough for the RBA to raise rates again and risk even further household budget strife.
- The market is now pricing in the next move to be a rate cut in the first quarter of 2025 and another in mid-2025:



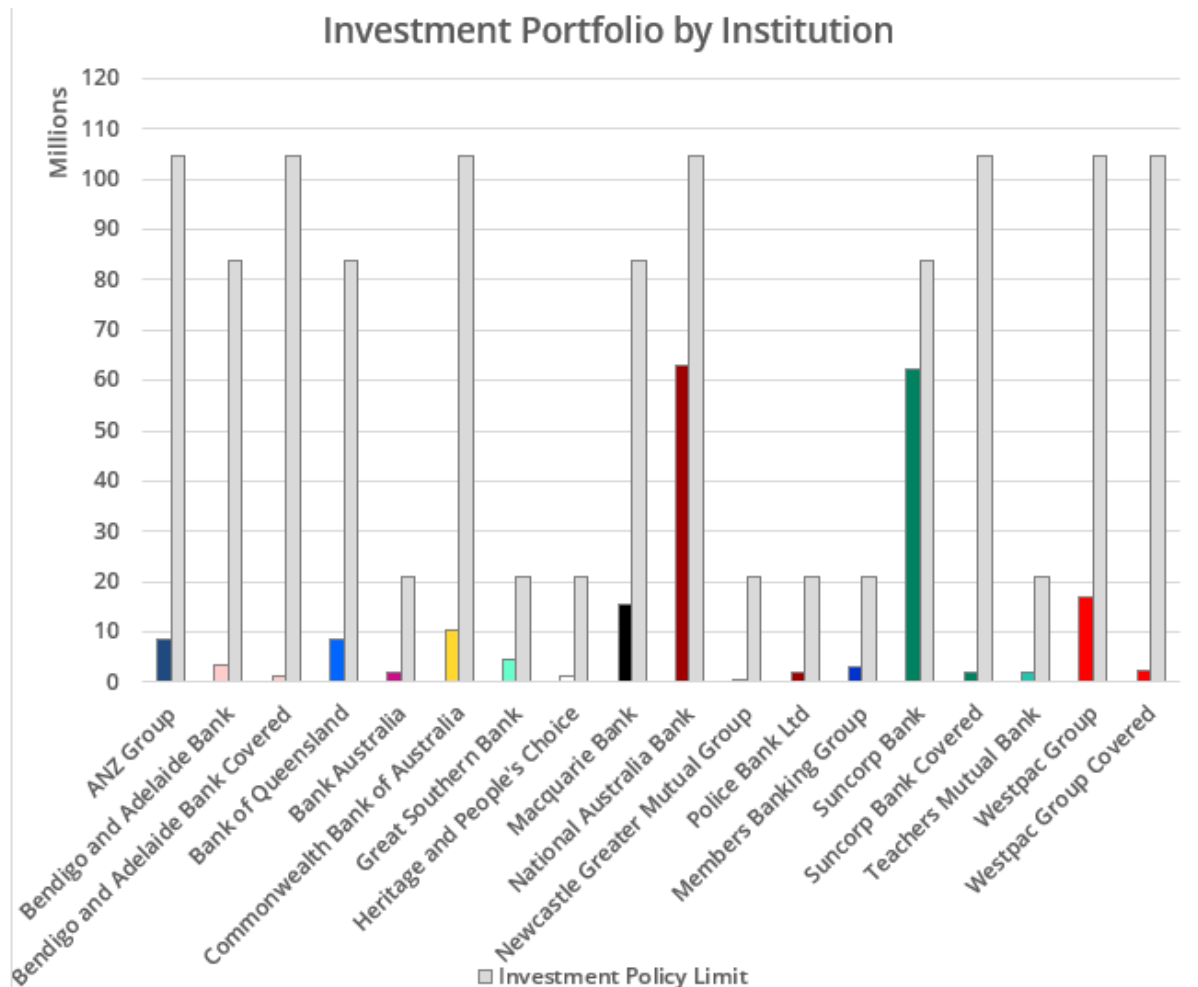
- Interest rates declined across the curve in July even before the quarterly inflation data was released which essentially eliminated expectations of another rate hike occurring this cycle. Term deposit rates across the 1 month to 5 year range dropped by an average of 8 basis points with the biggest decrease in the 1 to 5 year terms.

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

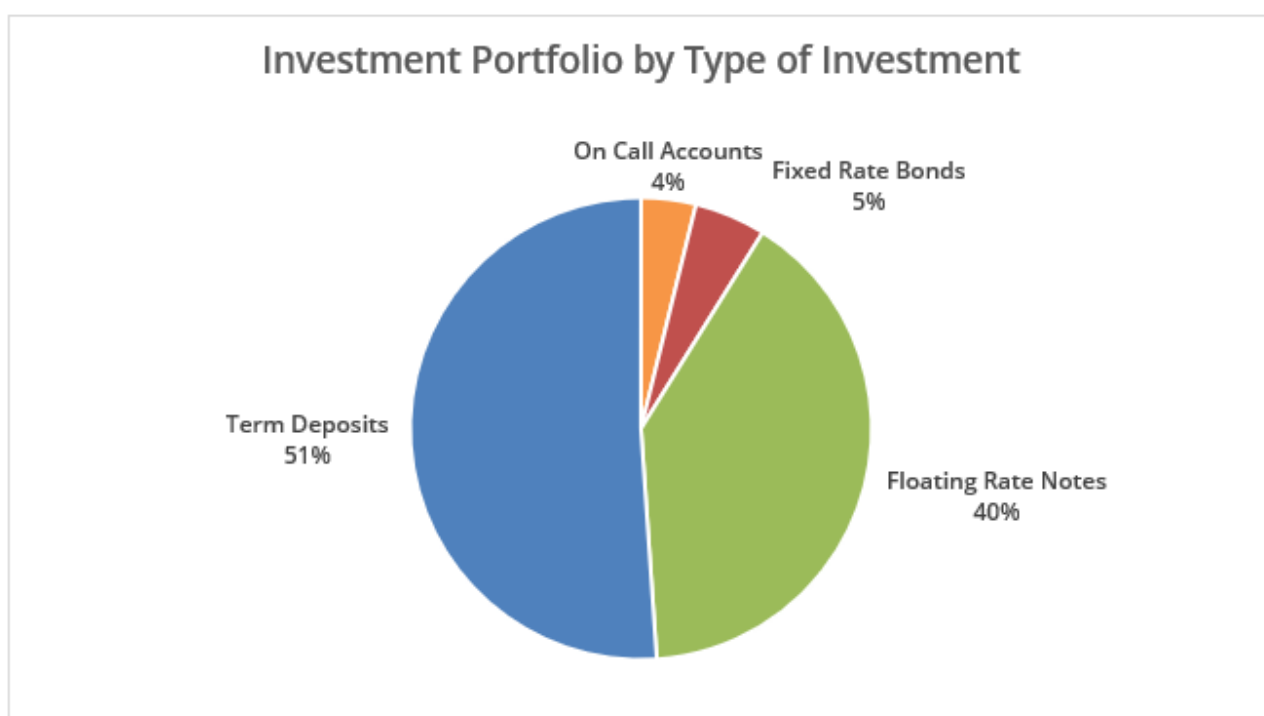
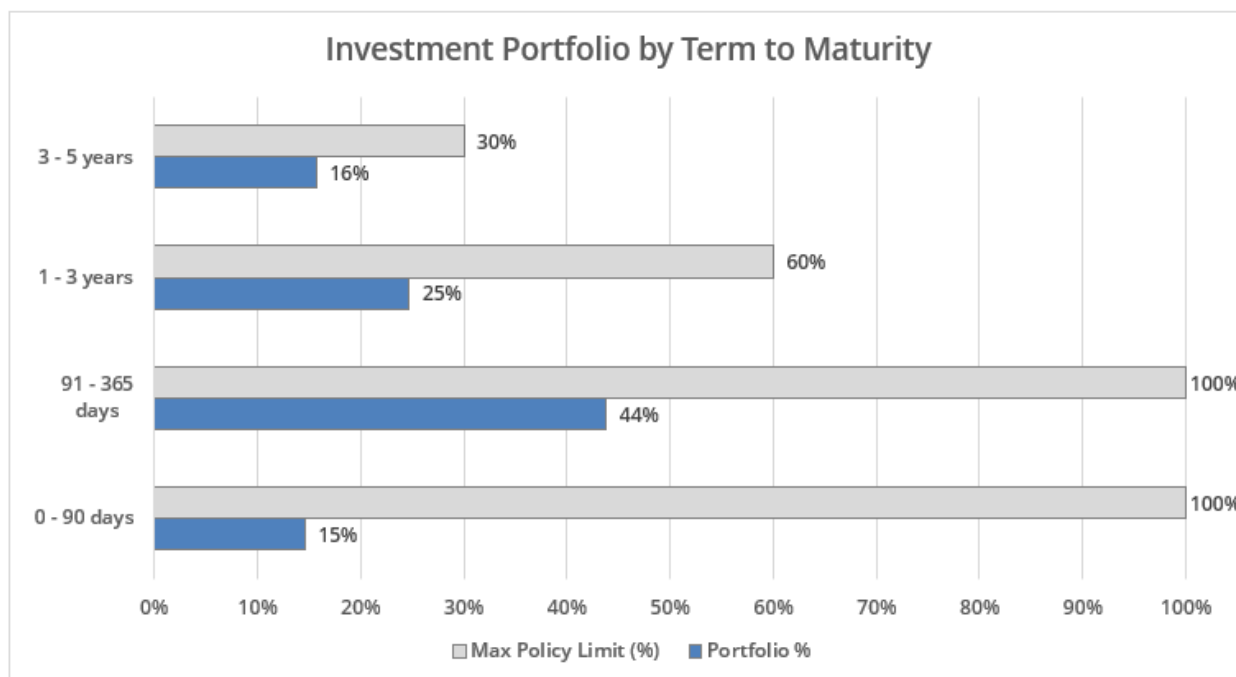


All market Commentary is provided by Prudential Investment Services who advise on the management of Council's investment portfolio.

PORTFOLIO ANALYSIS



STATEMENT OF INVESTMENTS AS AT 31 JULY 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 July 2024
---	---	--

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

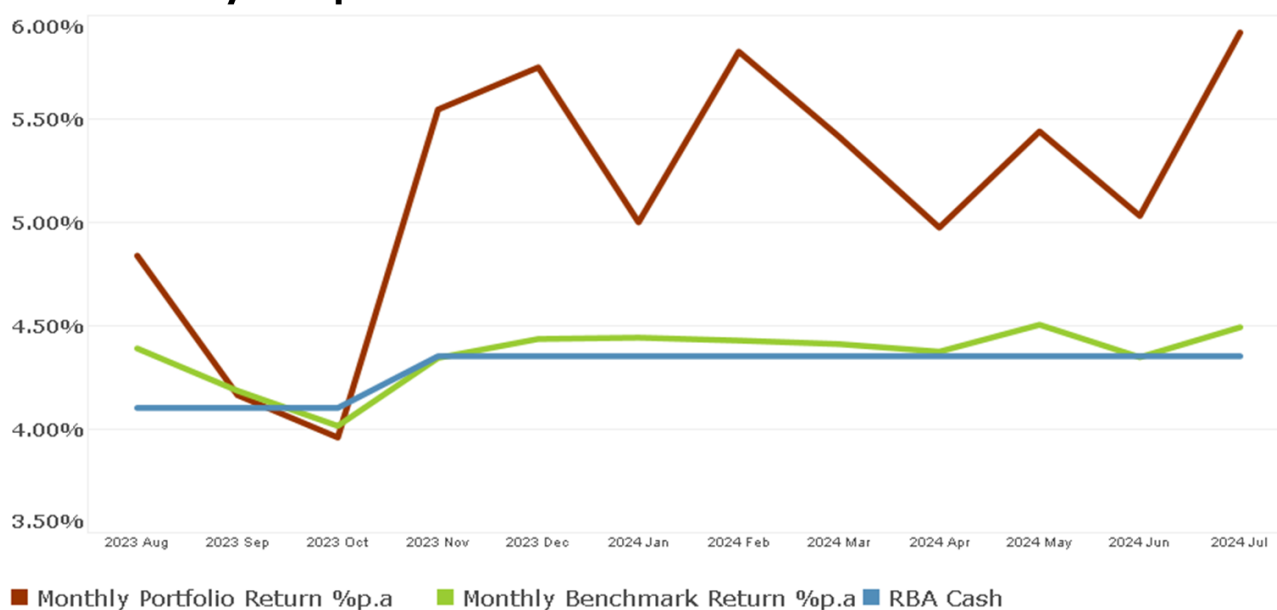
Investment Policy Requirement

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

Investment Performance v Benchmark

Term	Investment Portfolio Return	Benchmark: Bloomberg AusBond 90 day Bank Bill Index	RBA cash rate
1 month	5.91%	4.49%	4.35%
3 months	5.46%	4.45%	4.35%
6 months	5.43%	4.42%	4.35%
FYTD	5.91%	4.49%	4.35%
12 months	5.16%	4.37%	4.30%

Monthly Comparison: Investment Performance vs Benchmark



CONCLUSION

Certification of the Responsible Accounting Officer

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

FINANCIAL IMPLICATIONS

The actual investment return for the month of July was \$1,075,664. This amounts to a favourable variance of \$405,438 when compared to the monthly budget forecast of \$670,226. It should be noted that \$251,372 of this variance has been reallocated back to the externally restricted funds.

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

POLICY IMPLICATIONS

Council's investments are made in accordance with the 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 Act (General) Regulation, 2021

Policy and Finance Committee

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024

Council's Holdings as at 31 July 2024

Meeting Date: 27 August 2024

Attachment No: 1

Number of Pages: 2

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

COUNCIL'S HOLDING AS AT 31 JULY 2024

Bonds							
	Face Value	Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
12-Aug-24	1,800,000.00	3.9000	WBC Snr Bond (Aug25) 3.90%	AA-	11-Aug-25	376	1,819,820.57
19-Aug-24	2,000,000.00	4.2000	CBA Snr Bond (Aug25) 4.20%	AA-	18-Aug-25	383	2,029,038.93
11-Nov-24	2,300,000.00	4.9000	WBC Snr Bond (Nov25) 4.90%	AA-	11-Nov-25	468	2,333,256.23
19-Aug-24	1,500,000.00	4.7500	CBA Snr Bond (Aug26) 4.75%	AA-	17-Aug-26	747	1,537,182.14
16-Sep-24	1,400,000.00	4.9460	MAC Snr Bond (Sep26) 4.946%	A+	14-Sep-26	775	1,434,432.97
19-Sep-24	1,500,000.00	5.0000	WBC Snr Bond (Sep28) 5.00%	AA-	19-Sep-28	1,511	1,549,473.59
Totals	10,500,000.00	4.5942					10,703,204.43
Cash							
	Face Value	Current Yield	Borrower	Credit Rating			Current Value
31-Jul-24	2,054,243.27	4.9246	Macquarie Bank	A+			2,054,243.27
31-Jul-24	6,000,000.00	4.4000	National Australia Bank	AA-			6,000,000.00
Totals	8,054,243.27	4.5338					8,054,243.27
Floating Rate Note							
Reset/ Coupon	Face Value	Current Coupon	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
7-Aug-24	3,000,000.00	5.2181	MAC Snr FRN (Aug24) BBSW+0.80%	A+	7-Aug-24	7	3,037,070.16
12-Aug-24	5,000,000.00	5.2104	MAC Snr FRN (Feb25) BBSW+0.84%	A+	12-Feb-25	196	5,069,891.77
17-Sep-24	2,000,000.00	5.3509	BEN Snr FRN (Mar25) BBSW+0.98%	A-	17-Mar-25	229	2,017,934.00
17-Sep-24	2,400,000.00	5.0609	WBC Snr FRN (Mar25) BBSW+0.69%	AA-	17-Mar-25	229	2,419,661.34
24-Oct-24	2,000,000.00	5.9900	SUN Cov FRN (Apr25) BBSW+1.12%	AAA	24-Apr-25	267	2,013,130.41
20-Aug-24	2,300,000.00	5.0725	WBC Cov FRN (May25) BBSW+0.73%	AAA	20-May-25	293	2,330,629.10
30-Aug-24	2,500,000.00	5.2496	NAB Snr FRN (May25) BBSW+0.90%	AA-	30-May-25	303	2,533,177.38
9-Sep-24	4,000,000.00	4.8373	MAC Snr FRN (Dec25) BBSW+0.48%	A+	9-Dec-25	496	4,024,719.47
26-Aug-24	1,500,000.00	5.8403	RACQ Snr FRN (Feb26) BBSW+1.50%	BBB+	24-Feb-26	573	1,521,840.85
26-Aug-24	1,700,000.00	4.7903	SUN Snr FRN (Feb26) BBSW+0.45%	A+	24-Feb-26	573	1,713,490.58
19-Aug-24	2,000,000.00	5.3925	SUN Snr FRN (May26) BBSW+1.05%	A+	18-May-26	656	2,038,270.00
26-Aug-24	3,900,000.00	4.7503	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	24-Aug-26	754	3,924,726.07
16-Sep-24	2,300,000.00	4.8509	SUN Snr FRN (Sep26) BBSW+0.48%	A+	15-Sep-26	776	2,307,384.29
23-Oct-24	1,200,000.00	6.0788	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	23-Oct-26	814	1,213,214.26
23-Oct-24	3,250,000.00	6.0788	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	23-Oct-26	814	3,285,788.62
30-Oct-24	1,650,000.00	5.9910	BOZ Snr FRN (Oct26) BBSW+1.50%	BBB+	30-Oct-26	821	1,655,709.45
19-Aug-24	2,000,000.00	5.8950	POL Snr FRN (Nov26) BBSW+1.55%	BBB+	17-Nov-26	839	2,024,549.04
14-Oct-24	2,000,000.00	5.1533	CBA Snr FRN (Jan27) BBSW+0.70%	AA-	14-Jan-27	897	2,009,400.33
25-Oct-24	2,250,000.00	5.2705	SUN Snr FRN (Jan27) BBSW+0.78%	A+	25-Jan-27	908	2,258,709.26
8-Aug-24	1,400,000.00	5.9787	HPC Snr FRN (Feb27) BBSW+1.60%	BBB+	8-Feb-27	922	1,432,176.20
26-Aug-24	2,400,000.00	5.0550	NAB Snr FRN (Feb27) BBSW+0.72%	AA-	25-Feb-27	939	2,428,441.32
5-Sep-24	1,500,000.00	5.9519	RACQ Snr FRN (Mar27) BBSW+1.60%	BBB+	5-Mar-27	947	1,519,102.12
14-Aug-24	1,300,000.00	5.3703	BEN Snr FRN (May27) BBSW+1.00%	A-	14-May-27	1,017	1,318,607.41
23-Sep-24	1,800,000.00	5.7056	TMB Snr FRN (Jun27) BBSW+1.30%	BBB+	21-Jun-27	1,055	1,815,820.25
26-Aug-24	2,500,000.00	5.5350	NAB Snr FRN (Nov27) BBSW+1.20%	AA-	25-Nov-27	1,212	2,564,346.23
16-Sep-24	1,100,000.00	5.6178	SUN Snr FRN (Dec27) BBSW+1.25%	A+	14-Dec-27	1,231	1,125,110.57
14-Oct-24	3,000,000.00	5.6033	CBA Snr FRN (Jan28) BBSW+1.15%	AA-	13-Jan-28	1,261	3,051,179.27
21-Aug-24	500,000.00	6.0426	BOZ Snr FRN (Feb28) BBSW+1.70%	BBB+	21-Feb-28	1,300	510,635.32
12-Aug-24	2,500,000.00	5.3704	NAB Snr FRN (May28) BBSW+1.00%	AA-	12-May-28	1,381	2,552,426.85
16-Sep-24	1,200,000.00	5.5209	BEN Cov FRN (Jun28) BBSW+1.15%	AAA	16-Jun-28	1,416	1,219,663.91
11-Sep-24	1,400,000.00	5.2873	ANZ Snr FRN (Sep28) BBSW+0.93%	AA-	11-Sep-28	1,503	1,419,008.83
16-Aug-24	2,000,000.00	5.3842	NAB Snr FRN (Nov28) BBSW+1.03%	AA-	16-Nov-28	1,569	2,042,876.90
6-Aug-24	2,000,000.00	5.3717	ANZ Snr FRN (Feb29) BBSW+0.96%	AA-	5-Feb-29	1,650	2,039,787.56
14-Aug-24	600,000.00	6.2203	NPBS Snr FRN (Feb29) BBSW+1.85%	BBB+	14-Feb-29	1,659	619,651.87
19-Sep-24	1,500,000.00	5.3568	SUN Snr FRN (Mar29) BBSW+0.98%	A+	13-Mar-29	1,686	1,517,056.13
23-Sep-24	2,800,000.00	5.2923	NAB Snr FRN (Mar29) BBSW+0.90%	AA-	22-Mar-29	1,695	2,825,109.82
30-Oct-24	2,500,000.00	5.7710	BoQ Snr FRN (Apr29) BBSW+1.28%	A-	30-Apr-29	1,734	2,516,440.55
18-Sep-24	5,000,000.00	5.2314	ANZ Snr FRN (Jun29) BBSW+0.86%	AA-	18-Jun-29	1,783	5,041,431.73
Totals	83,950,000.00	5.3699					84,958,169.22

STATEMENT OF INVESTMENTS AS AT 31 JULY 2024 (Cont.)

Term Deposits							
	Face Value	Current Yield	Borrower	Credit Rating	Maturity	Term of Investment	Current Value
	2,000,000.00	5.1700	National Australia Bank	AA-	20-Aug-24	20	2,063,456.44
	2,000,000.00	5.4400	Commonwealth Bank of Australia	AA-	26-Aug-24	26	2,009,240.55
	2,000,000.00	4.4000	Westpac Group	AA-	2-Sep-24	33	2,080,043.84
	2,066,654.25	5.2400	Westpac Group	AA-	10-Sep-24	41	2,164,859.40
	2,000,000.00	5.1400	National Australia Bank	AA-	17-Sep-24	48	2,045,907.95
	2,000,000.00	5.4600	Suncorp Bank	A+	24-Sep-24	55	2,073,896.99
	1,000,000.00	5.3100	National Australia Bank	AA-	25-Sep-24	56	1,045,098.63
	2,000,000.00	5.2000	Suncorp Bank	A+	25-Sep-24	56	2,053,852.05
	2,000,000.00	5.4200	Suncorp Bank	A+	1-Oct-24	62	2,081,671.23
	2,000,000.00	5.1600	Suncorp Bank	A+	9-Oct-24	70	2,057,678.90
	3,000,000.00	5.1100	Suncorp Bank	A+	15-Oct-24	76	3,064,680.00
	2,000,000.00	5.4500	Suncorp Bank	A+	22-Oct-24	83	2,074,060.27
	4,000,000.00	5.4500	Suncorp Bank	A+	29-Oct-24	90	4,146,328.77
	2,000,000.00	5.1200	National Australia Bank	AA-	5-Nov-24	97	2,043,765.48
	3,000,000.00	5.1500	Bank of Queensland	A-	12-Nov-24	104	3,060,106.85
	3,000,000.00	5.1200	Suncorp Bank	A+	19-Nov-24	111	3,064,806.58
	2,000,000.00	5.5000	Suncorp Bank	A+	27-Nov-24	119	2,074,438.36
	5,000.00	4.5000	National Australia Bank	AA-	28-Nov-24	120	5,152.26
	3,000,000.00	5.2000	Bank of Queensland	A-	3-Dec-24	125	3,025,216.44
	2,000,000.00	5.2000	Suncorp Bank	A+	10-Dec-24	132	2,050,147.95
	3,000,000.00	5.1200	Suncorp Bank	A+	17-Dec-24	139	3,064,806.58
	2,500,000.00	5.4600	Suncorp Bank	A+	24-Dec-24	146	2,591,623.29
	2,000,000.00	5.0600	Suncorp Bank	A+	7-Jan-25	160	2,033,548.49
	2,000,000.00	5.1000	National Australia Bank	AA-	7-Jan-25	160	2,059,243.84
	2,000,000.00	5.0500	National Australia Bank	AA-	21-Jan-25	174	2,037,356.16
	3,000,000.00	5.0800	National Australia Bank	AA-	28-Jan-25	181	3,065,135.34
	2,000,000.00	5.2000	Suncorp Bank	A+	4-Feb-25	188	2,018,235.62
	2,000,000.00	5.2200	Suncorp Bank	A+	18-Feb-25	202	2,017,733.70
	2,000,000.00	2.0400	Westpac Group	AA-	25-Feb-25	209	2,007,936.44
	3,000,000.00	5.1000	Westpac Group	AA-	4-Mar-25	216	3,027,665.75
	3,000,000.00	5.2300	Suncorp Bank	A+	11-Mar-25	223	3,026,651.51
	2,000,000.00	5.2000	Suncorp Bank	A+	25-Mar-25	237	2,019,660.27
	2,000,000.00	5.0600	Suncorp Bank	A+	1-Apr-25	244	2,033,548.49
	3,000,000.00	5.1000	National Australia Bank	AA-	8-Apr-25	251	3,041,498.63
	2,000,000.00	5.2400	Suncorp Bank	A+	15-Apr-25	258	2,022,395.62
	3,000,000.00	5.2200	Suncorp Bank	A+	29-Apr-25	272	3,027,458.63
	2,000,000.00	5.3000	National Australia Bank	AA-	6-May-25	279	2,024,975.34
	2,000,000.00	5.2400	Suncorp Bank	A+	13-May-25	286	2,022,395.62
	2,000,000.00	5.2300	National Australia Bank	AA-	20-May-25	293	2,019,773.70
	3,000,000.00	5.3000	National Australia Bank	AA-	3-Jun-25	307	3,027,443.84
	2,000,000.00	5.2500	National Australia Bank	AA-	4-Jun-25	308	2,016,684.93
	2,000,000.00	5.2400	Suncorp Bank	A+	17-Jun-25	321	2,012,920.55
	4,000,000.00	5.4500	National Australia Bank	AA-	24-Jun-25	328	4,020,306.85
	3,000,000.00	5.4500	National Australia Bank	AA-	1-Jul-25	335	3,013,886.30
	3,000,000.00	5.3500	National Australia Bank	AA-	22-Jul-25	356	3,003,957.53
	2,500,000.00	5.3500	National Australia Bank	AA-	29-Jul-25	363	2,502,565.07
Totals	107,071,654.25	5.1700					109,043,817.03
Grand Totals	209,575,897.52						212,759,433.95

12 NOTICES OF MOTION/RESCISSION

12.1 CR LORETTA BAKER RECOGNITION

NOTICE OF MOTION SUBMITTED BY CR STEPHANIE FISHER

FILE NO: 38/44
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Stephanie Fisher has indicated her intention to move the following Notice of Motion at the next Council Meeting being held on Tuesday 27 August 2024:

THAT

In recognition of Cr Loretta Baker serving as the first ever female Mayor of the City, council incorporates a perpetual scholarship into its annual International Women's Day program, being the "Maitland City Council International Women's Day Loretta Baker Scholarship".

BACKGROUND:

Cr Loretta Baker has served continuously on Council since 2008. Cr Baker served the previous term, from 2017 to 2021 as Maitland City Council's first ever female Mayor of the city.

Loretta has recently announced that she will not be contesting the next local government election and it is therefore a fitting recognition of her serving as the first female Mayor of the city, that a scholarship program, which would support the future goals and aspirations of females within our City, be established.

Such programs exist within other local government areas and the General Manager has indicated this annual scholarship could be accommodated within the annual budget allocated to Council's International Women's Day program.

RESPONSE BY GENERAL MANAGER

An annual scholarship of \$1,000 as proposed above can be accommodated within the annual budget for Council's International Women's Day program.

12.2 MARTINS CREEK QUARRY

NOTICE OF MOTION SUBMITTED BY CR SALLY HALLIDAY

FILE NO: 38/44/1
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Sally Halliday has indicated her intention to move the following Notice of Motion at the next Council Meeting being held on Tuesday, 27 August 2024:

THAT Maitland City Council publicly acknowledges its continuing commitment to its residents to support them to achieve the best possible outcome in the ongoing Martins Creek Quarry court case.

BACKGROUND: Residents have become concerned with many issues that have developed in this case in relation to the environment, social license, visual amenity, noise and traffic. A particular issue is the potential increase in the quarry's haulage tonnage on our local roads (up to 200 trips per day).

Council has previously spoken to the issue, provided written support to hearings, advocated on the community's behalf and joined with Dungog Shire Council in mediation in attempts to resolve all the concerns and problems.

At this stage, the issue will be going back to court next year and reaffirming publicly the council's current position would give the community confidence in the ongoing process. Keeping the community informed would also contribute to increased confidence in the legal process.

RESPONSE BY DIRECTOR CITY PLANNING & EXECUTIVE MANAGER PEOPLE & PERFORMANCE

Council continues to work with all parties involved in the Martins Creek Quarry court case and is committed to providing further updates to the community on the proceedings. A detailed report will be prepared and provided to Council at the first Council meeting in October after the election.

13 QUESTIONS WITH NOTICE

13.1 WALKA WATER WORKS MINIATURE RAILWAY

SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/2
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 27 August 2024:

Can council officers provide an update and timeline for the Expression of Interest process for the Walka Water Works Miniature Railway?

RESPONSE BY DIRECTOR CITY SERVICES

Council officers are currently preparing the EOI documentation for Walka Miniature Railway and will release the EOI in November 2024.

An overview of the expected timeline is as follows:

- August 2024 – Collating relevant information for development of EOI documentation
- September – Internal stakeholder discussions relating to site constraints and desired outcomes for the operator and community.
- October – EOI documentation and marketing plan finalised.
- November – Undertake marketing and commence 30 day notification period.
- December - Collation of responses and assessment of options
- January 2025 – Provide report to council on potential volunteer groups willing to operate the service

13.2 COOKS SQUARE FUNDING

SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/2
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 27 August 2024:

Can council officers advise if there has been any further progress with the missing second million dollars for Cooks Square which was promised by the Federal Member Meryl Swanson at the last federal election?

RESPONSE BY GENERAL MANAGER

At the Council Meeting of 23 April 2024 Council resolved as follows:

THAT

1. Council support a grant application under the Play Our Way Program to complete stage two upgrade works at Cooks Square Park.
2. The outcome of the application is reported back to Council through the quarterly grants update.

Council officers have recently been advised by the Federal Government that the grant application was unsuccessful.

13.3 VARIOUS COUNCIL MATTERS

SUBMITTED BY CR PHILIP PENFOLD

FILE NO: 35/7/2
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: Jeff Smith - General Manager

Cr Philip Penfold has asked the following Question With Notice for the Council Meeting being held on 27 August 2024:

Can the General Manager please provide a response to the following:

- 1. Is it true that the fenced off contaminated land at Walka Water Works makes up less than 3% of the area of the entire 64 hectare Walka Water Works site?*
- 2. Is it true that the most recent organisational restructure resulted in a minimum \$1Mpa saving on salaries in management roles?*
- 3. Is it true that the council has not locked in any future rates rises, and that future year rates will be determined by the next elected council?*

RESPONSE BY GENERAL MANAGER

The answer to all three questions above is, Yes

14 URGENT BUSINESS

15 COMMITTEE OF THE WHOLE

15.1 CONSIDERATION OF TENDERS - MCC WORKS DEPOT NEW FIRE DETECTION SYSTEM

FILE NO:	2024/137/2349
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Jason Linnane - Director City Services Todd Stanley - Manager Building Projects and Services
AUTHOR:	Geoff Wilton - Operations Manager Building Services Joel Reid - Building Services Officer
MAITLAND +10	Outcome 16 To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.1 Partner across all levels of government and the private sector to plan our city's future

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 design and upgrade the existing automatic fire detection and alarm system at the council depot site on Metford Road. The upgraded system will provide fit for purpose fire detection and alarm coverage to council staff, key operational plant, equipment and assets. An open tender process was conducted with the tender listed on Tenderlink. Two suppliers made submissions with both being in accordance with the tender requirements.

The tender submissions were assessed by a 3-person tender evaluation panel. Following evaluation and consensus by the tender evaluation panel 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