

ORDINARY MEETING

MINUTES

27 AUGUST 2024

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PRESENT

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

1 INVOCATION

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

2 ACKNOWLEDGEMENT OF COUNTRY

The General Manager read the Acknowledgement of Country.

3 APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

COUNCIL RESOLUTION

THAT the late arrival of Cr S Fisher and Cr R Aitchison be noted.

Moved Cr P Penfold, Seconded Cr P Garnham

CARRIED

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

4 DECLARATIONS OF INTEREST

Cr Ben Mitchell declared a non-pecuniary less than significant interest in Item 10.1 - Bi Annual Community Grants Program Round One 2024/2025 as he volunteers for one of the grant recipients.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 13 August 2024 be confirmed.

Moved Cr M Griffin, Seconded Cr K Flannery

CARRIED

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

6 BUSINESS ARISING FROM MINUTES

Nil

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

Nil

8 PUBLIC ACCESS

Mr Tom Goold representing Newquest Property spoke for Item No 10.7 - Development Application 2022/1260 for 1 into 28 Lots Torren Title Subdivision (Including 1 Drainage Reserve) at 82 Collaroy Parade, Louth Park

Cr Stephanie Fisher arrived at the chambers 5.35pm

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.

COUNCIL RESOLUTION

THAT

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

Moved Mayor P Penfold

CARRIED

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

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.

COUNCIL RESOLUTION

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.

Moved Mayor P Penfold

CARRIED

For:

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

Against:

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

- 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.**
- Council formally thanks all twenty-six (26) applicants for their submission and advises them of Council's decision.**

COUNCIL RESOLUTION

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.

Moved Cr S Halliday, Seconded Cr P Garnham

CARRIED

For:

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

Against:

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.

COUNCIL RESOLUTION

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.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

For:

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

Against:

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

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

COUNCIL RESOLUTION

THAT

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

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

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

10.4 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.

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.**

COUNCIL RESOLUTION

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.**

Moved Cr M Yarrington, Seconded Cr K Flannery

CARRIED

For:

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

Against:

Cr L Baker

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.

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.**

COUNCIL RESOLUTION

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.**

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

For:

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

Against:

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 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.**

COUNCIL RESOLUTION

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.**

Moved Mayor P Penfold, Seconded Cr B Hackney

CARRIED

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

10.7 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:	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.

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.**

COUNCIL RESOLUTION

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.**

Moved Cr S Halliday, Seconded Cr M Yarrington

CARRIED

For:

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

Against:

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.

COUNCIL RESOLUTION

THAT

The information in this report be noted.

Moved Cr B Hackney, Seconded Cr K Flannery

CARRIED

For:

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

Against:

10.9 LOCAL TRAFFIC COMMITTEE MINUTES (AUGUST 2024)

FILE NO:	140/5
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Local Traffic Committee Minutes August 2024 2. Agenda Item 5.1 - Event - 2024 Riverlights Multicultural Festival
RESPONSIBLE OFFICER:	<p>Jason Linnane - Director City Services Stephen Smith - Manager Assets and Engineering</p>
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

COUNCIL RESOLUTION

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

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

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

Council moved into Policy & Finance Committee at 6.04 pm.

Moved Cr M Griffin, Seconded Cr M Yarrington

CARRIED

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

11 POLICY AND FINANCE COMMITTEE

11.1 COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY

FILE NO:	35/1/2 AND 35/1/3
ATTACHMENTS:	<ol style="list-style-type: none"> 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.

COMMITTEE 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.

Moved Cr P Garnham, Seconded Cr K Flannery

CARRIED

For:

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

Against:

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.**

COMMITTEE RECOMMENDATION**THAT**

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

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

For:

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

Against:

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.**

COMMITTEE RECOMMENDATION

THAT

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

Moved Cr S Halliday, Seconded Cr K Flannery

CARRIED

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

Council resumed into Ordinary Council at 6.09 pm.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

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

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

11.1 COUNCIL SERVICES AND FACILITIES - CHRISTMAS AND NEW YEARS POLICY

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.

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

THAT

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

11.3 STATEMENT OF INVESTMENTS AS AT 31 JULY 2024

THAT

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

COUNCIL RESOLUTION

THAT

The Committee’s recommendations be adopted.

Moved Cr Halliday, Seconded Cr Griffin

CARRIED

For:

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

Against:

12 NOTICES OF MOTION/RESCISSION

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.

COUNCIL RESOLUTION

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".

Moved Cr S Fisher, Seconded Cr B Whiting

CARRIED

For:

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

Against:

12.2 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.

COUNCIL RESOLUTION

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.

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

For:

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

Against:

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

Nil

Council moved into the Committee of the Whole at 6.30 pm.

Moved Cr P Garnham, Seconded Cr M Griffin

CARRIED

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

Council moved into Close Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 6.30 pm.

Moved Cr P Garnham, Seconded Cr M Yarrington

CARRIED

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

15 COMMITTEE OF THE WHOLE

15.1 CONSIDERATION OF TENDERS - 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.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

COMMITTEE RECOMMENDATION

THAT

- 1. Council accepts the tender submission from M-Fire for the amount of \$246,670.00 (excl. GST) listed in the report for the supply and installation of the MCC Works Depot new detection system.**

Moved Cr B Whiting, Seconded Cr P Garnham

CARRIED

For:

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

Against:

Council resumed into Ordinary Council at 6.31 pm.

Moved Cr M Griffin, Seconded Cr P Garnham

CARRIED

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

16 COMMITTEE OF THE WHOLE RECOMMENDATIONS

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

15.1 Consideration Of Tenders - MCC Works Depot New Fire Detection System

THAT

1. Council accepts the tender submission from M-Fire for the amount of \$246,670.00 (excl. GST) listed in the report for the supply and installation of the MCC Works Depot new detection system.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted.

Moved Cr P Garnham, Seconded Cr S Halliday

CARRIED

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

Cr Robert Aitchison arrived at the chambers at 6.34 pm

17 CLOSURE

The meeting was declared closed at 7.26 pm.

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Chairperson