ORDINARY MEETING MINUTES

28 January 2025



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PRESENT

- Cr Amelia Aitchison
- Cr Race Barstow
- Cr Don Ferris
- Cr Kristy Flannery
- Cr Mitchell Griffin
- Cr Bill Hackney
- Cr Sally Halliday
- Cr Ken Jordan
- Cr Philip Penfold, Mayor
- Cr Warrick Penfold
- Cr Ben Whiting
- Cr Ben Worth
- Cr Mike Yarrington

1 INVOCATION

Pastor Phil Cosgrove from the Grainery Church 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

Nil

4 DECLARATIONS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 10 December 2024 be confirmed.

Moved Cr S Halliday, Seconded Cr K Flannery



For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan

Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington

6 BUSINESS ARISING FROM MINUTES

Nil

7 WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS

Nil

8 PUBLIC ACCESS

Nil



9 MAYORAL MINUTE

9.1 NEW YEARS EVE TRAFFIC

FILE NO: 35/1

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: General Manager

AUTHOR: Mayor

MAYORAL MINUTE

COUNCIL RESOLUTION

THAT

- 1. Council's Local Traffic Committee investigate options to mitigate traffic congestion after the NYE fireworks, including manual traffic management, and road closures.
- 2. Council also consider the merits of satellite parking at Garnham Grounds (and/or other appropriate locations) with shuttle bus.
- 3. Council staff report back to Council with recommendations regarding the above matters in sufficient time to allow for implementation for the 2025 event

Moved Mayor P Penfold

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



9.2 RENAMING OF THE MELVILLE FORD BRIDGE

FILE NO: 35/1

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: General Manager

AUTHOR: Mayor

MAYORAL MINUTE

COUNCIL RESOLUTION

THAT

In recognition of Milton Morris AO's invaluable contribution to Maitland, and in acknowledgement of his outstanding contribution as the former Member for Maitland and NSW Minister for Transport

- Council expresses its support, and initiate community consultation, on the proposal to name the new bridge currently under construction at Melville (known as Melville Ford Bridge) the "Milton Morris Bridge".
- 2. Following community consultation, a recommendation on the proposal to name the new bridge "Milton Morris Bridge" be reported back to Council.
- 3. During the consultation period, enquiry be made with the Geographical Naming Board via the NSW Place and Road Naming Proposal System to name the new bridge "Milton Morris Bridge"

Moved Mayor P Penfold



_		
For:	Cr A Atkinson	Against:
	Cr R Barstow	
	Cr D Ferris	
	Cr K Flannery	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr K Jordan	
	Mayor P Penfold	
	Cr W Penfold	
	Cr B Whiting	
	Cr B Worth	
	Cr M Yarrington	



9.3 PASSING OF DAN SKELLY

FILE NO: 35/1

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: Jeff Smith - General Manager

AUTHOR: Philip Penfold - Mayor

MAYORAL MINUTE

COUNCIL RESOLUTION

THAT

Council acknowledges the passing of Maitland Police Officer-In-Charge, Chief Inspector Daniel Skelly who lost his 5-year battle with leukaemia on 13 January 2025 at the age of 61. Council extends its deepest sympathy to Dan's wife Tracey, his children Daniel and Tom, family, friends and his police family.

Moved Mayor P Penfold

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



9.4 JANUARY 2025 STORM ACKNOWLEDGEMENTS

FILE NO: 35/1

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: General Manager

AUTHOR: Mayor

MAYORAL MINUTE

COUNCIL RESOLUTION

THAT

Council acknowledges the outstanding effort of Maitland City Council staff, other agencies/businesses, not for profit, and community volunteers for their work in the aftermath of the wild storm of Wednesday 15 January 2025.

Moved Mayor P Penfold

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



10 OFFICE OF THE GENERAL MANAGER

10.1 CODE OF CONDUCT STATISTICS FOR THE PERIOD 1 SEPTEMBER 2023 TO 31 AUGUST 2024

FILE NO: 35/47

ATTACHMENTS: 1.Code of Conduct Returns December 2024

RESPONSIBLE OFFICER: General Manager

Office Manager

AUTHOR: Team Leader OGM

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 Office of Local Government requires Council to report on the Code of Conduct complaints about Councillors and the General Manager within three (3) months of September each year.

The purpose of this report is to advise council on the Code of Conduct complaints report provided to the Office of Local Government on 20 December 2024 for the period 1 September 2023 to 31 August 2024.

OFFICER'S Recommendation

THAT

1. The information contained in this report be noted;

COUNCIL RESOLUTION

THAT

1. The information contained in this report be noted;

Moved Cr M Griffin, Seconded Cr M Yarrington



For:

Cr A Atkinson
Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



10.2 END OF TERM COUNCILLOR FACILITIES AND EXPENSES REPORT

FILE NO: 35/36/10

ATTACHMENTS: 1.Councillor Expenses Table

RESPONSIBLE OFFICER: General Manager

Office Manager

AUTHOR: Team Leader OGM

MAITLAND +10 Outcome 15 To have an effective and efficient Council

COUNCIL OBJECTIVE: 15.1.2 Ensure Council is financially sustainable and meets

required levels of performance

EXECUTIVE SUMMARY

Council's current Councillor Expenses and Facilities Policy establishes the framework under which the reasonable and appropriate reimbursement of expenses and the provision of facilities to councillors to support them undertake their civic duties is administered. In this policy Council is to report on the provisions as required in the Act and Regulations.

OFFICER'S RECOMMENDATION

THAT

1. The information contained in the report be noted.

COUNCIL RESOLUTION

THAT

1. The information contained in the report be noted.

Moved Cr W Penfold, Seconded Cr M Yarrington



For:

Cr A Atkinson
Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



11 CITY PLANNING

11.1 DRAFT REGENT STREET FLYING-FOX CAMP MANAGEMENT PLAN

FILE NO: 55/2

ATTACHMENTS: 1.Regent Street Flying Fox Camp Management Plan

(Under Separate Cover)

RESPONSIBLE OFFICER: Director City Planning

Manager Environment & Sustainability

AUTHOR: Coordinator Natural Environment & Resilience

MAITLAND +10 Outcome 10 To love and look after our great outdoors

COUNCIL OBJECTIVE: 10.2.1 Retain areas of bushland and open space, including

wildlife corridors

EXECUTIVE SUMMARY

Maitland City Council's draft Regent Street Flying-fox Camp Management Plan (the draft Management Plan) has been prepared in partial fulfilment of a Service Agreement between Council and the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).

The draft Management Plan addresses community concern around large numbers of flying-foxes roosting on private land at 17 - 31 Regent Street, Maitland. Included in the draft Management Plan is an assessment of the Regent Street flying-fox camp in a local and regional context, a summary of community engagement, and detailed information on camp management options and planned actions.

OFFICER'S RECOMMENDATION

THAT

- 1. The draft Regent Street Flying-fox Camp Management Plan is placed on exhibition for a minimum period of twenty-eight (28) days.
- 2. Should there be no submissions of objection, Council adopts the draft Regent Street Flying-fox Camp Management Plan and delegates approval of any minor changes to the Director City Planning.
- 3. Should there be submissions of objection or significant changes required, a further report be brought to Council.
- 4. The final Regent Street Flying-fox Management Plan be submitted to Department Climate Change, Energy, the Environment and Water for review and endorsement under the NSW Flying-fox Camp Management Code of Practice 2018



COUNCIL RESOLUTION

THAT

- 1. The draft Regent Street Flying-fox Camp Management Plan is placed on exhibition for a minimum period of twenty-eight (28) days.
- 2. Should there be no submissions of objection, Council adopts the draft Regent Street Flying-fox Camp Management Plan and delegates approval of any minor changes to the Director City Planning.
- 3. Should there be submissions of objection or significant changes required, a further report be brought to Council.
- 4. The final Regent Street Flying-fox Management Plan be submitted to Department Climate Change, Energy, the Environment and Water for review and endorsement under the NSW Flying-fox Camp Management Code of Practice 2018

Moved Cr D Ferris, Seconded Cr S Halliday

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow Cr D Ferris Cr K Flannery Cr M Griffin Cr B Hackney Cr S Halliday Cr K Jordan

Mayor P Penfold Cr W Penfold Cr B Whiting Cr B Worth

Cr M Yarrington



12 CITY SERVICES

12.1 PROPOSED TRANSFER OF CROWN ROAD CORRIDOR - RYANS ROAD,
GILLIESTON HEIGHTS BETWEEN GILLIESTON ROAD AND SOUTH MAITLAND
RAILWAY LINE

FILE NO: 222/895

ATTACHMENTS: 1.Diagram of Crown Lands proposal to Transfer

Crown Roads to Council at Gillieston Heights

RESPONSIBLE OFFICER: Director City Services

Manager Asset Strategy and Engineering

AUTHOR: Operations Manager Transport & Infrastructure

Engineering

MAITLAND +10 Outcome 2 To easily get to where we want to go

COUNCIL OBJECTIVE: 2.2.1 Develop and promote Council's long term program

for road and related infrastructure construction and

maintenance

EXECUTIVE SUMMARY

The NSW Department of Planning, Housing and Infrastructure – Crown Lands is responsible for Crown Land road corridor management. Some of these road corridors have road formations that Council has historically maintained operational management by carrying out works within the road corridors. The road segment of Ryans Road, Gillieston Heights between Gillieston Road and the South Maitland Railway line has been identified as Crown Road.

The purpose of this report is to seek Council resolution to the acceptance to transfer the identified Crown Land Road corridor of Ryans Road to Council as public road. Transfer will result in Council becoming the roads authority responsible for the future care and control of the nominated corridors.

OFFICER'S RECOMMENDATION

THAT

- 1. Council accepts the transfer of the following identified Crown Land road corridor to Public Road for incorporation into Councils existing roads assets.
 - a. Ryans Road, Gillieston Heights Between Gillieston Road and the South Maitland Railway line



COUNCIL RESOLUTION

THAT

- 1. Council accepts the transfer of the following identified Crown Land road corridor to Public Road for incorporation into Councils existing roads assets.
 - a. Ryans Road, Gillieston Heights Between Gillieston Road and the South Maitland Railway line

Against:

Moved Cr M Yarrington, Seconded Cr B Hackney

CARRIED

For: Cr A Atkinson

Cr R Barstow Cr D Ferris Cr K Flannery Cr M Griffin Cr B Hackney Cr S Halliday Cr K Jordan

Mayor P Penfold Cr W Penfold Cr B Whiting Cr B Worth Cr M Yarrington



13 CUSTOMER AND DIGITAL SERVICES

Nil



14 PEOPLE AND PERFORMANCE

14.1 AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) TERMS OF REFERENCE AND INTERNAL AUDIT CHARTER

FILE NO: 81/26

ATTACHMENTS: 1.ARIC Terms of Reference

2. Internal Audit Charter

RESPONSIBLE OFFICER: Executive Manager People and Performance

Manager Enterprise Risk, Health & Safety

AUTHOR: 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) Terms of Reference and Internal Audit Charter are submitted to Council for endorsement.

OFFICER'S RECOMMENDATION

THAT Council endorse the ARIC Terms of Reference and the Internal Audit Charter.

COUNCIL RESOLUTION

THAT Council endorse the ARIC Terms of Reference and the Internal Audit Charter.

Moved Cr S Halliday, Seconded Cr M Griffin



For:

Cr A Atkinson
Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



15 FINANCE

15.1 STATEMENT OF INVESTMENTS AS AT 30 NOVEMBER 2024

FILE NO: 82/2

ATTACHMENTS: 1.Council's Holdings as at 30 November 2024

RESPONSIBLE OFFICER: Executive Manager Finance

Manager Financial Services

AUTHOR: 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 required Council to report on its investments.

As at the end of November 2024, Council had investments totaling \$223,710,895 under management.

Council's investment portfolio recorded a marked-to-market return of 5.00% per annum versus the bank bill index benchmark return of 4.48% per annum. The actual investment return for the month of November was \$890,575, a favourable variance of \$124,755 when compared to the monthly budget forecasts of \$765,820

Council remains fully compliant with all Investment Policy requirements.

OFFICER'S RECOMMENDATION

THAT

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



COUNCIL RESOLUTION

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 M Griffin

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow Cr D Ferris Cr K Flannery Cr M Griffin Cr B Hackney Cr S Halliday Cr K Jordan

Mayor P Penfold Cr W Penfold Cr B Whiting Cr B Worth Cr M Yarrington



15.2 STATEMENT OF INVESTMENTS AS AT 31 DECEMBER 2024

FILE NO: 82/2

ATTACHMENTS: 1.Council's Holdings as at 31 December 2024

RESPONSIBLE OFFICER: Executive Manager Finance

Manager Financial Reporting

AUTHOR: 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 required Council to report on its investments.

As at the end of December 2024, Council had investments totalling \$218,219,338 under management.

Council's investment portfolio recorded a marked-to-market return of 5.23% per annum versus the bank bill index benchmark return of 4.53% per annum. The actual investment return for the month of December was \$979,976, a favourable variance of \$214,156 when compared to the revised monthly budget forecasts of \$765,820.

Council remains fully compliant with all Investment Policy requirements.

OFFICER'S RECOMMENDATION

THAT

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



COUNCIL RESOLUTION

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 M Griffin

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold

Mayor P Penfold Cr W Penfold Cr B Whiting Cr B Worth Cr M Yarrington



16 ITEMS FOR INFORMATION

16.1 APPOINTMENT OF AWARDS AND RECOGNITION PROGRAM COMMUNITY REPRESENTATIVES

FILE NO: 35/12

ATTACHMENTS: NII

RESPONSIBLE OFFICER: General Manager

Office Manager

AUTHOR: Team Leader OGM

MAITLAND +10 Outcome 16. To work together to be the best our

community can be

COUNCIL OBJECTIVE: 16.2.1 Recognise community contributions to the city

through Council's civic programs

EXECUTIVE SUMMARY

The Awards and Recognition Committee Terms of Reference states that the membership of the committee shall comprise of the Mayor, four Councillors and two independent members of the community. The purpose of this report is to advised Council of the two new community representatives to sit on the Awards and Recognition Committee for the current Council term.

OFFICER'S RECOMMENDATION

THAT Council note the information contained in this report.

COUNCIL RESOLUTION

THAT Council note the information contained in this report.

Moved Cr B Hackney, Seconded Cr R Barstow



The division resulted in 11 for and 2 against, as follows:

For: Cr R Barstow Against: Cr A Atkinson
Cr K Flannery Cr D Ferris

Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting

Cr M Yarrington

Cr B Worth



16.2 TRAFFIC AT NEW MAITLAND HOSPITAL

FILE NO: 35/48

ATTACHMENTS: 1.Letter to Minister for Regional Transport and Roads

on Traffic Congestion Around Maitland Hospital

2. Minister for Regional Transport and Roads

Response on Traffic Congestion Around Maitland

Hospital

3. Transport for NSW response on Regional Road

Transfer and Reclassification Review

4. Letter to Minister for Regional Transport and Roads on Reclassification of Metford Road

5. Minister for Regional Transport and Roads
Response on Reclassification of Metford Road

RESPONSIBLE OFFICER: Director City Services

Manager Asset Strategy and Engineering

AUTHOR: Operations Manager Transport & Infrastructure

Engineering

MAITLAND +10 Outcome 2 To easily get to where we want to go

COUNCIL OBJECTIVE: 2.1.2 Work with the State Government to fund the timely

maintenance and/or delivery of essential State

infrastructure across the City and its urban release areas

Previous Items: 12.1 - Traffic at the New Maitland Hospital - Ordinary

Council - 23 Apr 2024 5:30 PM (Policy & Finance)

EXECUTIVE SUMMARY

This report seeks to inform Council on the replies received from Transport for NSW and the Minister of Regional Transport and Roads on matters raised through a notice of motion associated with traffic congestion around Maitland Hospital and the reclassification of Metford Road.

OFFICER'S RECOMMENDATION:

THAT the information contained in this report be noted.



COUNCIL RESOLUTION

THAT the information contained in this report be noted.

Moved Cr S Halliday, Seconded Cr B Worth

CARRIED

For: Cr A Atkinson Against:

Cr R Barstow
Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



16.3 AUDIT RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING MINUTES - SEPTEMBER & OCTOBER 2024

FILE NO: 81/26

ATTACHMENTS: 1.ARIC - Minutes - 10 September 2024

2. ARIC - Minutes - 15 October 2024

RESPONSIBLE OFFICER: Executive Manager People and Performance

Manager Enterprise Risk, Health & Safety

AUTHOR: 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) meetings for September and October were held on 10 September and 15 October 2024. The minutes of the meeting are submitted to Council for information.

OFFICER'S RECOMMENDATION

THAT Council note the minutes from the ARIC Meetings of 10 September and 15 October 2024.

COUNCIL RESOLUTION

THAT Council note the minutes from the ARIC Meetings of 10 September and 15 October 2024.

Moved Cr S Halliday, Seconded Cr M Yarrington



For:	Cr A Atkinson	Against:
	Cr R Barstow	
	Cr D Ferris	
	Cr K Flannery	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr K Jordan	
	Mayor P Penfold	
	Cr W Penfold	
	Cr B Whiting	
	Cr B Worth	
	Cr M Yarrington	



17 NOTICES OF MOTION/RESCISSION

17.1 125 YEARS OF FEDERATION

NOTICE OF MOTION SUBMITTED BY CR MITCHELL GRIFFIN

FILE NO: 35/7/4

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: General Manager

COUNCIL RESOLUTION

THAT

- 1. Council lead local celebrations within the Maitland LGA throughout the month of January 2026 as part of the 125th anniversary of the Federation of Australia.
- 2. Council to investigate funding options, including potential federal grants, to be included as part of the 2025/26 Operational Plan.
- 3. Council staff report back to Councillors via a briefing by May 2025 on progress and potential activities to be included as part of the anniversary.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

The division resulted in 12 for and 1 against, as follows:

For: Cr R Barstow Against: Cr A Atkinson

Cr D Ferris
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington



18	QUESTIONS WITH NOTICE
	Nil
19	URGENT BUSINESS
	Nil
20	COMMITTEE OF THE WHOLE
	Nil
21	COMMITTEE OF THE WHOLE RECOMMENDATIONS
	Nil
22	CLOSURE
	The meeting was declared closed at 6.13 pm.
	Chairperson Chairperson

