

**Late Items  
Ordinary Meeting  
Agenda**

**18 March 2025**

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**.

**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.

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## 9 Mayoral Minute

### 9.1 King Edward Park East Maitland

FILE NO:	35/5/1
ATTACHMENTS:	1. Concept Designs
RESPONSIBLE OFFICER:	General Manager
AUTHOR:	Mayor

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#### MAYORAL MINUTE

#### THAT

- 1. Council recognises the significant and ongoing efforts of the East Maitland Rugby League Old Boys in relation to the provision of sporting facility opportunities in the City.**
- 2. Council staff continue to work with the East Maitland Old Boys, East Maitland Junior Rugby League, East Maitland Senior Rugby League and Eastern Suburbs Cricket Club to refine the concept designs (attachment 1) that have been provided to Council for King Edward Park.**
- 3. Council staff commence the process and lodge a development application for the provision of new amenities at King Edward Park based on the refined designs as per item 2 of above**
- 4. Council staff consider the importance of the works when developing the 4-year capital works program and future grant applications.**

#### BACKGROUND

The East Maitland Old Boys have been delivering sporting opportunities in the City for many years. They have been actively working with Maitland City Council for the provision of additional sporting facilities in East Maitland. This has focused on sites at the Eastern end of Lawes Street (behind tennis courts), Ron Stewart Sports Area and King Edward Park, spending a significant amount of their own monies.

Despite the commitment of both parties, unfortunately the process has not been able to deliver any tangible outcomes for our community to date.

In more recent times, the East Maitland Old Boys have developed concept plans for the provision of much needed amenities at King Edward Park. These plans have the support of all users of the site including East Maitland Senior Rugby League, East Maitland Junior Rugby League and Eastern Suburbs Cricket Club. It should be noted that the development of these plans was resourced entirely by the community group and did not involve Council resources.

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KING EDWARD PARK EAST MAITLAND (Cont.)

Staff have:

- a. Indicated their in-principle support for the proposed amenities;
- b. confirmed that the works required to progress the development application can be done within the existing resources envelope; and
- c. committed to including the project in the draft 4 years capital works program that is currently being drafted for Council's future consideration.

# **Mayoral Minute**

## **King Edward Park East Maitland**

### **Concept Designs**

**Meeting Date: 18 March 2025**

**Attachment No: 1**

**Number of Pages: 2**



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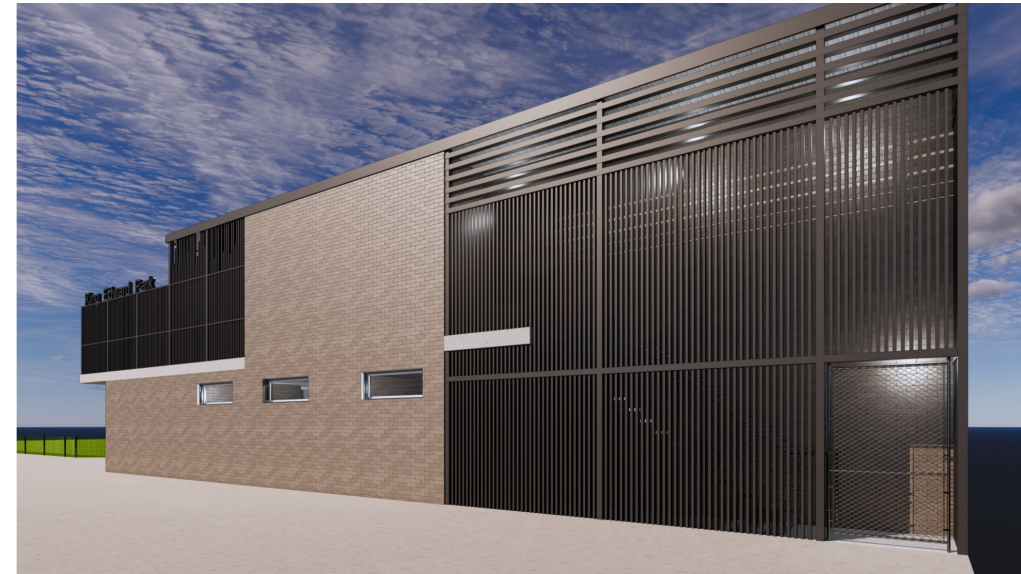
Rev.	Description	Date	Issued by
1	DRAFT REVIEW	29.10.24	M.Marshall

**NOTES:**  
 1. All dimensions, levels, and setbacks are to be verified on site prior to fabrication or construction.  
 2. Written dimensions take precedence over scaled ones.

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<b>Project:</b> CLUB AMENITIES	<b>Sheet Title:</b> O/A SITE PLAN	<b>Project No.:</b> BCP1078
<b>Lot:</b> 20 <b>DP:</b> 1019387 <b>No:</b> 13	<b>Street:</b> BANKS STREET <b>Suburb:</b> EAST MAITLAND	<b>DWG No.:</b> 01
<b>Client:</b> MAITLAND COUNCIL	<b>Project Status:</b> CONCEPT PLANS ONLY	<b>Scale:</b> 1 : 300 on A1
		<b>Revision:</b> 1





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Project:	Sheet Title:	Project No:
<b>CLUB AMENITIES</b>	<b>PERSPECTIVES</b>	<b>BCP1078</b>
Lot: 20 DP: 1019387 No: 13 Street: BANKS STREET Suburb: EAST MAITLAND	Scale:	Revision:
Client: <b>MAITLAND COUNCIL</b> Project Status: <b>CONCEPT PLANS ONLY</b>	<b>1 : 1</b> on A1	<b>1</b>
		<b>DWG No: 06</b>



## 11 City Planning

### 11.9 Amendment to City Wide Development Contributions Plan - Extractive Industries Chapter

<b>FILE NO:</b>	103/157 & 103/59
<b>ATTACHMENTS:</b>	1. Draft Amended 2016 City Wide Development Contributions Plan (Under Separate Cover)
<b>RESPONSIBLE OFFICER:</b>	Director City Planning Manager Strategic Planning Coordinator City Planning
<b>AUTHOR:</b>	Principal Development Contributions Planner
<b>MAITLAND +10</b>	Outcome 2 To easily get to where we want to go
<b>COUNCIL OBJECTIVE:</b>	2.1.1 Better align land use and transport planning to move toward the region's target of 15 minute neighbourhoods with access to housing, jobs, services and transport

#### EXECUTIVE SUMMARY

*The 2016 City Wide Section 94 Development Contributions Plan (version 3, adopted 28 February 2017) incorporates a levy for Extractive Industries (Road and Traffic Facilities) to facilitate the maintenance of haulage routes across the city. A review of the methodology for the haulage levy has been undertaken which identified the need for an amendment to reflect Council's costs in the maintenance of haulage routes, as well as enabling the collection of haulage contributions from development other than extractive industries that generate heavy haulage movements.*

*This report seeks Council's endorsement for the exhibition of amendments to ensure that the cost of maintaining haulage routes reflect current costs for Council.*

#### OFFICER'S RECOMMENDATION

##### THAT

- Council exhibits amendments to the 2016 City Wide Section 94 Development Contributions Plan to update the Extractive Industries Chapter, being Chapter 5.4.3, as identified within Attachment 1.**
- If no submissions objecting to the amendments are received, Council delegates authority to the General Manager to finalise the amendments.**
- If one or more submissions objecting to the amendments are received, a further report will be presented to Council for consideration.**

## REPORT

Council currently levies and collects haulage contributions under the 2016 City Wide Section 94 Development Contributions Plan (2016 CP) to offset the impact of truck movements from quarries travelling on nominated local roads.

The 2016 CP was first adopted by Council on 14 April and came into effect on 21 April 2016. Since that time, the 2016 CP has twice been amended. The current version 3 was adopted by Council on 28 February 2017 and came into effect on 8 March 2017.

The haulage levy was last reviewed during the preparation of the 2016 CP. The current methodology/formulae for calculating contributions is based on average annual road maintenance costs and the length of road likely to be used by vehicles associated with extractive industries (see section 5.4.3 of the 2016 CP under the heading 'Nexus' at p 37).

Table 9 of the 2016 CP (on p 38) sets out actual road maintenance costs incurred by Council across FY 2010 to FY 2014, including a 5-year average. That 5-year average is then used to derive an average cost per km based on the total LGA road network of 680km, being \$8,059 per year. Since FY 2014, the total road costs incurred by Council have continued to significantly escalate.

Page 40 of the 2016 CP contains the following formula for determining routine (sealed) road maintenance contributions for extractive industries:

$$Cs = \frac{\$5.74 Ls \times ly \times Z}{(0.000712 \times Z + Vi)} \quad (\text{dollars})$$

Where:

- ly = is the Road Cost Index, as issued by the Roads and Traffic Authority of NSW, for each year after 30 June
- Ls = the length of sealed road over which maintenance is contributed and which is measured from site entry to the nearest main road or highway as route of travel
- Vi = the average daily volume of heavy vehicles on the length of road, prior to the commencement of the development
- Z = the total measured volume of extracted material for one year of maintenance contribution

The origin of the \$5.74 figure is explained on pages 39-40 of the 2016 CP.

The Road Cost Index (ie "ly" in above formula) was introduced by the RTA (now the RMS) in 2014. As at June 2019, the RCI was 104.7. Since the RCI was discontinued in 2019, Council has applied 2.0196 as the "ly" input in the above formula. The escalation factor has not been further reviewed since 2019 and is not necessarily consistent with increases in prices particularly of materials and services in the construction sector in the 6 years since. A change to the index used for keeping costs current is needed.

The use of actual historical 5-year expenditure as the basis upon which to levy contributions is also not reflective of what Council needs to spend to ensure that its

roads are properly maintained. Rather, it is reflective of expenditure over a 5-year period which is limited by budgetary constraints from year to year.

Furthermore, a recent analysis and research into haulage rates has highlighted that the rates within the 2016 CP do not reflect the actual cost of road maintenance associated with haulage activities. This was reflected in an Independent Planning Commission hearing where the model being used by an adjoining council (Port Stephens) was recognised as being a more accurate estimate of the true cost of maintenance and repairs. This rate was subsequently applied by the Independent Planning Commission to a consent for expansion of Brandy Hill Quarry for haulage within the Maitland Local Government Area.

Council staff have reviewed the methodology and cost inputs for haulage and have recommended amendments to the 2016 CP as identified within Attachment 1. In particular, Council staff have considered the more contemporary methodology, and road contributions and maintenance standard in the Port Stephens contributions plan and believe that those provisions and standards are comparable for Maitland. Accordingly, it is proposed that Maitland utilises the Port Stephens methodology and contributions provisions.

It should be noted that the proposed new model would not apply to any existing extractive industries which have consents in place. It would apply to new development proposals and any modification applications to expand existing operations.

The proposed amendments will also enable the collection of haulage contributions from development other than extractive industries that generate heavy vehicle movements.

### **AMENDMENTS TO 2016 CP**

The proposed amended 2016 CP is presented in **Attachment 1** to this report. Key changes include:

1. Updating the language to refer to development that generates heavy vehicle movements instead of extractive industries to expand the application of haulage contributions.
2. Page 7 Section 1.5 - Summary of Contribution Rates – inclusion of new table.
3. Page 11 Section 2.5 - Inclusion of a new dot point to call up haulage.
4. Page 37 Section 5.4.3 (a) - Nexus – linking development associated with heavy haulage with increased need for road maintenance.
5. Page 40 Section 5.4.3 (b) to (e) Calculation of contribution – new methodology has been inserted consistent with the new proposed model.

The amendments have been highlighted in **Attachment 1** to enable ease of identification between the existing and proposed text.

Council officers are also proposing to take this opportunity to update the following areas of the 2016 CP:

- Language and references in the 2016 CP to align with amended clause numbers in the *Environmental Planning and Assessment Act 1979* i.e. replacing section 94 with section 7.11.
- Update the contribution summary tables on pages 7, 8 and 11 as well as values in the Work Schedule tables commencing on page 55 to reflect the current rates applicable as a result of indexation of values since the initial approval of the 2016 CP.

The alterations mentioned in the dot points above will not have a material impact on the original intent or operation of the 2016 CP.

The above amendments will require exhibition of the 2016 CP for 28 days in accordance with Council's adopted Community Participation Plan.

## **CONCLUSION**

This report is seeking Council's endorsement for the exhibition of amendments to the Extractive Industries Chapter of the 2016 CP. The amendments are proposed to enable the collection of funds to ensure an adequate standard of maintenance and repairs can be undertaken on local haulage routes used by heavy vehicles.

## **FINANCIAL IMPLICATIONS**

This matter has no direct financial impact upon Council's adopted budget or forward estimates. However, if Council does not take action to ensure an adequate level of funds are collected, the majority of costs associated with the repair and maintenance of haulage routes will need to be included in Council's long term financial planning.

## **POLICY IMPLICATIONS**

This report is recommending an amendment to the 2016 CP – a policy document of Council.

## **STATUTORY IMPLICATIONS**

There are no statutory implications under the *Local Government Act 1993*.