

# Ordinary Meeting Minutes

18 March 2025

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DRAFT

## **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 Tim Cooper from the Grain Level 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**

### **COUNCIL RESOLUTION**

THAT the remote attendance of Cr R Barstow be accepted and leave of absence be granted to Cr B Whiting for the meeting of 15 April 2025.

Moved Cr Mayor P Penfold, Seconded Cr M Yarrington

**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	

#### 4 Declarations Of Interest

Cr M Yarrington declared a less than significant non-pecuniary interest in Item 11.4 - Reclassification of Council Owned Land at Thomas Coke Drive, John Arthur Avenue and Government Road, Thornton - Outcomes of Public Exhibition and Hearing as he lives close to the area that is being developed, and will continue to participate in the discussion.

Cr R Barstow declared a less than significant non-pecuniary interest in item 11.4 - Reclassification of Council Owned Land at Thomas Coke Drive, John Arthur Avenue and Government Road, Thornton - Outcomes of Public Exhibition and Hearing as she is a former member of the Thornton Junior Football Club, and will continue to participate in the discussion.

Cr M Griffin declared a significant non-pecuniary interest in Item 20.1 - Land & Environment Court Legal Update as a family member is the owner of one of the listed properties in the report and will not participate in discussion or voting on the matter.

#### 5 Confirmation Of Minutes Of Previous Meeting

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 25 February 2025 be confirmed.

**Moved Cr M Yarrington, Seconded Cr K Jordan**

**CARRIED**

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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

Against:

**6 Business Arising From Minutes**

Nil

**7 Withdrawal Of Items And Acceptance Of Late Items Of Business**

Staff circulated one report subsequent to the provision of the standard agenda that is in relation to an amendment to the city wide development contributions plan for extractive industries.

COUNCIL RESOLUTION

**THAT Council accept the late item**

**Moved Cr D Ferris, Seconded Cr M Yarrington**

**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

Against:

## 8 Public Access

Maurizio Zappacosta representing Anambah Lakes Estate Pty Ltd spoke FOR Part 1 and AGAINST Part 2 - Item No 11.1 - Planning Proposal - Rezoning of Land known as Anambah House from RU2 Rural Landscape to R5 Large Lot Residential.

Ann-Marie Bettley representing Thornton Junior Football Club spoke AGAINST Item No 11.4 - Reclassification of Council Owned Land at Thomas Coke Drive, John Arthur Avenue and Government Road, Thornton - Outcomes of Public Exhibition and Hearing.

Chris Coleman representing himself spoke AGAINST Item No 11.4 - Reclassification of Council Owned Land at Thomas Coke Drive, John Arthur Avenue and Government Road, Thornton - Outcomes of Public Exhibition and Hearing.

COUNCIL RESOLUTION

**THAT an extension of one (1) minute be granted to Chris Coleman.**

**Moved Cr M Yarrington, Seconded Cr D Ferris**

**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

Against:



David Avard representing himself spoke FOR Item No 11.5 - DA/2023/1142 for Multi Dwelling Housing (5 Units) at 63 Burg Street East Maitland

COUNCIL RESOLUTION

**THAT an extension of one (1) minute be granted to David Avard.**

**Moved Cr M Yarrington, Seconded Cr D Ferris**

**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

Against:

## 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

Cr B Worth moved a procedural motion that the matter be put, due to there being 2 for and 2 against speaking on the matter.

The division resulted in 7 for and 6 against, as follows:

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

The motion was carried.

**COUNCIL RESOLUTION****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.

**Moved Mayor P Penfold, Seconded Cr B Hackney****CARRIED**

The division resulted in 10 for and 3 against, as follows:

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

## 10 Office of the General Manager

### 10.1 Regional Motions for the 2025 National General Assembly of Local Government

<b>FILE NO:</b>	77/8
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Functions and Membership of the Hunter Joint Organisation</li> <li>2. Hunter Joint Organisation Regional Motions for 2025 National Assembly of Local Government</li> <li>3. National General Assembly Focus and Criteria for Motions</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	Office Manager General Manager
<b>AUTHOR:</b>	Team Leader OGM
<b>MAITLAND +10</b>	Outcome 16 To work together to be the best our community can be
<b>COUNCIL OBJECTIVE:</b>	16.1.3 Take a regional approach to service provision and community benefits through membership on the Hunter Joint Organisation of Councils

#### EXECUTIVE SUMMARY

*The 2025 National General Assembly of Local Government is being held in Canberra from 24-27 June 2025 promoting the theme 'National Priorities Need Local Solutions'. The purpose of this report is to seek endorsement for submitting four shared regional motions developed through the Hunter Joint Organisation to the National General Assembly of Local Government.*

#### OFFICER'S RECOMMENDATION

##### THAT

1. Council endorse the shared regional motions identified by the Hunter Joint Organisation Board and their lodgment to the 2025 National General Assembly of Local Government.

**COUNCIL RESOLUTION**

**THAT**

- 1. Council endorse the shared regional motions identified by the Hunter Joint Organisation Board and their lodgment to the 2025 National General Assembly of Local Government.**

**Moved Cr S Halliday, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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

Against:

## 10.2 Committee Review

<b>FILE NO:</b>	<b>35/2 &amp; 35/7</b>
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li><b>1. Report of Existing Committees (Under Separate Cover)</b></li><li><b>2. Proposed Committee Structure (Under Separate Cover)</b></li><li><b>3. Draft New Committee Terms of Reference (Under Separate Cover)</b></li></ol>
<b>RESPONSIBLE OFFICER:</b>	<b>General Manager Executive Manager People and Performance</b>
<b>AUTHOR:</b>	<b>Team Leader OGM</b>
<b>MAITLAND +10</b>	<b>Outcome 16 To work together to be the best our community can be</b>
<b>COUNCIL OBJECTIVE:</b>	<b>16.2.2 Facilitate opportunities for community leaders to connect and collaborate</b>

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### EXECUTIVE SUMMARY

*This report outlines the comprehensive Committee Review process that has been undertaken over the past 12-18 months and proposes an improved committee structure to meet the needs of the community.*

### OFFICER'S RECOMMENDATION

#### THAT

- 1. Council endorse the draft Committees Structure for special purpose and strategic committees and these be placed on public exhibition for a period of 28 days.**

## PROCEEDINGS IN BRIEF

A motion was moved being the Officers Recommendation.  
(Mayor P Penfold / Cr S Halliday)

Cr A Atkinson moved an amendment

THAT

For committees 1 to 4, there will be up to 3 councillors, 3 stakeholders and 3 community representatives.  
(Cr A Atkinson /Cr D Ferris)

The division resulted in 4 for and 9 against, as follows:

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

The amendment when put to the meeting was declared lost.

The original motion was then put to the meeting and declared carried.

## COUNCIL RESOLUTION

THAT

1. Council endorse the draft Committees Structure for special purpose and strategic committees and these be placed on public exhibition for a period of 28 days.

Moved Mayor P Penfold, Seconded Cr S Halliday

**CARRIED**

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

For:

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

Against:

Cr M Griffin

DRAFT



## 11 City Planning

### 11.1 Planning Proposal – Rezoning of Land Known as Anambah House From RU2 Rural Landscape To R5 Large Lot Residential

<b>FILE NO:</b>	<b>RZ20001</b>
<b>ATTACHMENTS:</b>	<b>1. Gateway Determination</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning Manager Strategic Planning Coordinator City Planning</b>
<b>AUTHOR:</b>	<b>Principal Strategic Planner</b>
<b>MAITLAND +10</b>	<b>Outcome 7 To afford the house we want in the neighbourhood we like</b>
<b>COUNCIL OBJECTIVE:</b>	<b>7.2.1 Maintain guidelines for appropriate design and construction of major subdivisions</b>

#### EXECUTIVE SUMMARY

*Council received a Planning Proposal seeking an amendment to the Maitland Local Environmental Plan 2011 (MLEP 2011) to rezone approximately 18.9 hectares at 118–204 Anambah Road, Anambah from RU2 Rural Landscape to R5 Large Lot Residential. The site encompasses the State Heritage-listed Anambah House and is identified in the Maitland Local Housing Strategy and Maitland Local Strategic Planning Statement as a future investigation area for residential development.*

*In February 2025, the proponent instructed Council to withdraw the Planning Proposal. Subsequently, the Department of Planning, Housing and Infrastructure (DPHI) issued a revised Gateway Determination advising that the proposal should not proceed.*

*Council staff support the withdrawal, given the unacceptable flood risk, likely impacts on Maitland Aerodrome’s operations, and the difficulty of providing flood-free access for future residents. In light of these constraints, this report recommends removing the site from future residential investigation areas during upcoming reviews of both the Maitland Local Housing Strategy and the Maitland Local Strategic Planning Statement.*

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**OFFICER'S RECOMMENDATION**

**THAT**

1. Council notes the amended Gateway Determination from the Department of Planning, Housing and Infrastructure in Attachment 1.
2. Council amends the maps within future iterations of the Maitland Local Housing Strategy 2041 and Maitland Local Strategic Planning Statement 2040 to remove Lot 712 in DP1233410, Lot 721 in DP1191240 and Lot 722 in DP1191240 as an investigation area.

**COUNCIL RESOLUTION**

**THAT**

1. Council notes the amended Gateway Determination from the Department of Planning, Housing and Infrastructure in Attachment 1.
2. Council amends the maps within future iterations of the Maitland Local Housing Strategy 2041 and Maitland Local Strategic Planning Statement 2040 to remove Lot 712 in DP1233410, Lot 721 in DP1191240 and Lot 722 in DP1191240 as an investigation area.

**Moved Cr K Jordan, Seconded Cr B Hackney**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

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

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

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**11.2 Exhibition of Draft Development Control Plan – Mount Vincent Urban Release Area (Lot 141 DP1225076, 62 Mount Vincent Road East Maitland And Lot 8 DP855275, 6 Wilton Drive East Maitland)**

<b>FILE NO:</b>	<b>103/190</b>
<b>ATTACHMENTS:</b>	<b>1. Draft Development Control Plan Mt Vincent Road URA (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning Manager Strategic Planning Coordinator City Planning</b>
<b>AUTHOR:</b>	<b>Senior Strategic Planner</b>
<b>MAITLAND +10</b>	<b>Outcome 7 To afford the house we want in the neighbourhood we like</b>
<b>COUNCIL OBJECTIVE:</b>	<b>7.2.2 Deliver a development assessment approach that supports development in new and established areas</b>

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**EXECUTIVE SUMMARY**

*The Mount Vincent Urban Release Area, located at 62 Mount Vincent Road and 6 Wilton Drive, East Maitland, was rezoned for urban purposes on 19 November 2021. The site is partially zoned R1 General Residential and partially zoned C3 Environmental Management and is mapped as an Urban Release Area (URA) under the Maitland Local Environmental Plan (MLEP) 2011.*

*The purpose of this report is to present the draft Development Control Plan (DCP) for the Mount Vincent Urban Release Area to Council and seek endorsement for its public exhibition.*

**OFFICER'S RECOMMENDATION**

**THAT**

- 1. The draft Mount Vincent Road Development Control Plan (Attachment 1) be placed on public exhibition for a minimum period of 28 days; and,**
- 2. A further report be submitted to Council following public exhibition of the draft Development Control Plan.**

**COUNCIL RESOLUTION**

**THAT**

- 1. The draft Mount Vincent Road Development Control Plan (Attachment 1) be placed on public exhibition for a minimum period of 28 days; and,**
- 2. A further report be submitted to Council following public exhibition of the draft Development Control Plan.**

**Moved Cr K Jordan, Seconded Cr B Hackney**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

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

Against:

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### 11.3 DA/2024/566 for Demolition, Tree Removal, Construction of Service Station and Signage at 6 Garnett Road, East Maitland

FILE NO:	DA/2024/566
ATTACHMENTS:	<ol style="list-style-type: none"><li>1. Locality Plan</li><li>2. Development Plans (Under Separate Cover)</li><li>3. Assessment Report (Under Separate Cover)</li><li>4. Recommended Conditions of Consent (Under Separate Cover)</li><li>5. Submissions</li></ol>
RESPONSIBLE OFFICER:	Director City Planning Manager Development & Compliance Coordinator Planning & Development
AUTHOR:	Development Planner
APPLICANT:	Brown Commercial Building
OWNER:	6 Garnett Street Pty Ltd
PROPOSAL:	Demolition, Tree Removal, Construction of Service Station and Signage
LOCATION:	Lot 100 DP 826852, 6 Garnett Road, East Maitland
ZONE:	E2 Commercial Centre

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#### EXECUTIVE SUMMARY

*The proposal seeks development consent for Demolition, Tree Removal, Construction of Service Station and Signage at 6 Garnett Road East Maitland (Lot 100 DP826852). The locality plan can be viewed at **Attachment 1** and Development Plans in **Attachment 2**.*

*The subject site is located within the E2 Commercial Centre zone. The development is compatible with the existing and future character of the area in terms of bulk and scale, adheres to site constraints and restrictions and does not unreasonably impact surrounding environment. The proposal is consistent with the requirements of all relevant sections of Maitland Local Environmental Plan (MLEP) 2011 and Maitland Development Control Plan (DCP) 2011. A detailed assessment provided in the Planners Assessment Report which can be viewed in **Attachment 3**.*

*The application is reported to Council as one (1) submission was received during the notification process. The concern raised by the objector cited amenity impacts and traffic concerns.*

*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

- DA/2024/566 for Demolition, Tree Removal, Construction of Service Station and Signage at 6 Garnett Road East Maitland be approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

## PROCEEDINGS IN BRIEF

A motion was moved  
(Cr M Griffin / Cr S Halliday)

THAT

DA/2024/566 for Demolition, Tree Removal, Construction of Service Station and Signage at 6 Garnett Road East Maitland be refused for the following reason:

The proposal will have an adverse impact on traffic and access within the locality pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.

The Mayor foreshadowed that if the motion did not succeed that he would move the officers recommendation.

The motion when put to the meeting was declared lost.

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

For: Cr M Griffin  
Cr S Halliday

Against:

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

Mayor P Penfold moved the Officers Recommendation

**COUNCIL RESOLUTION**

**THAT**

- 1. DA/2024/566 for Demolition, Tree Removal, Construction of Service Station and Signage at 6 Garnett Road East Maitland be approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

**Moved Mayor P Penfold, Seconded Cr B Hackney**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

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

For:

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

Against:

Cr M Griffin  
Cr S Halliday

## 11.4 Reclassification of Council Owned Land at Thomas Coke Drive, John Arthur Avenue and Government Road, Thornton – Outcomes of Public Exhibition and Hearing

<b>FILE NO:</b>	<b>RZ22001</b>
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li><b>1. Planning Proposal Thornton Reclassification (Under Separate Cover)</b></li> <li><b>2. Public Hearing Addendum Report</b></li> </ol>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning</b> <b>Manager Strategic Planning</b> <b>Coordinator City Planning</b>
<b>AUTHOR:</b>	<b>Principal Strategic Planner</b>
<b>MAITLAND +10</b>	<b>Outcome 7 To afford the house we want in the neighbourhood we like</b>
<b>COUNCIL OBJECTIVE:</b>	<b>7.2.1 Maintain guidelines for appropriate design and construction of major subdivisions</b>

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### EXECUTIVE SUMMARY

*At the meeting of 22 February 2022, Council resolved to submit a Planning Proposal seeking a Gateway Determination to reclassify two parcels of Council land at East Maitland and Thornton. Reclassification was required to enable legal and practical access to adjoining land identified through the development assessment process.*

*On 11 April 2023, Council resolved to separate the two proposals, with the East Maitland component finalised by the Department of Planning, Housing and Infrastructure (DPHI) on 12 April 2024. This report addresses the Thornton component, recommending that the reclassification of an access handle connecting Thomas Coke Drive to A & D Lawrence Fields be finalised, together with associated amendments.*

*A Gateway Determination for the Thornton reclassification was issued on 30 June 2022, subject to specific conditions requiring referral to the Rural Fire Service (RFS), public exhibition, and a public hearing by an independent facilitator. The proposal was placed on public exhibition from 5 September to 3 October 2022, followed by a public hearing on 29 November 2022.*

*On 11 April 2023, Council endorsed a Voluntary Planning Agreement (VPA) approach for Thornton and sought a Gateway Extension to allow time for negotiation and exhibition of the VPA. This report now recommends proceeding to finalise the Thornton reclassification to support access arrangements for a proposed residential subdivision and improved facilities for the existing sporting fields.*



## OFFICER'S RECOMMENDATION

### THAT

1. Council endorses the Planning Proposal (Attachment 1) over Lot 848 DP 703278 (John Arthur Ave), Part Lot 1538 DP 832922 and Part Lot 8884 DP 786883 (Thomas Coke Drive), Thornton, and requests that the Minister for Planning and Public Spaces make the amendments to the Maitland Local Environmental Plan 2011.
2. Council notes the recommendations of the independent facilitator's report in (Attachment 2)
3. Council notifies all those who made a submission during the public exhibition and attended the public hearing process.

## PROCEEDINGS IN BRIEF

A motion was moved.  
(Mayor P Penfold / Cr B Worth)

### THAT

1. Council endorses the Planning Proposal (Attachment 1) over Lot 848 DP 703278 (John Arthur Ave), Part Lot 1538 DP 832922 and Part Lot 8884 DP 786883 (Thomas Coke Drive), Thornton, and requests that the Minister for Planning and Public Spaces make the amendments to the Maitland Local Environmental Plan 2011.
2. Council notes the recommendations of the independent facilitator's report in (Attachment 2)
3. Council notifies all those who made a submission during the public exhibition and attended the public hearing process.
4. Council through the VPA and DA ensures that the access road design allows for vehicle access to the informal grassed parking area and provides a high level of pedestrians safety in consultation with the users of A&D Lawrence

Cr D Ferris moved an amendment  
(Cr D Ferris / Cr B Whiting)

Defer the matter to enable negotiations with relevant stakeholders and a subsequent council briefing.

The amendment was then put.

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

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

The amendment now becomes the motion

The motion was then put.

#### COUNCIL RESOLUTION

#### THAT

**The matter be deferred to enable negotiations with relevant stakeholders and a subsequent council briefing.**

**Moved Mayor P Penfold, Seconded Cr B Worth**

**CARRIED**

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

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

## 11.5 DA/2023/1142 for Multi Dwelling Housing (5 Units) at 63 Burg Street East Maitland

<b>FILE NO:</b>	DA/2023/1142
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Locality Plan</li> <li>2. Development Plans (Under Separate Cover)</li> <li>3. Assessment Report (Under Separate Cover)</li> <li>4. Recommended Reasons for Refusal</li> <li>5. Submissions (Under Separate Cover)</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	Director City Planning Manager Development & Compliance Coordinator Planning & Development
<b>AUTHOR:</b>	Senior Development Planner
<b>APPLICANT:</b>	Leonard Allen
<b>OWNER:</b>	Darshan Singh Singh and Pavittar Kaur
<b>PROPOSAL:</b>	Multi Dwelling Housing (5 Units)
<b>LOCATION:</b>	63 Burg Street EAST MAITLAND
<b>ZONE:</b>	R1 General Residential

### EXECUTIVE SUMMARY

A development application DA/2023/1142 was lodged on the 30 January 2024 seeking consent for Multi Dwelling Housing (5 Units) at 63 Burg Street East Maitland (Lot 1 DP 995219). The locality plan can be viewed at **Attachment 1**.

The matter is reported to Council as the officer's recommendation is for refusal. The application received fifteen (15) submissions of objection during the assessment process. The concerns raised by the objectors in respect to the proposed development include character, bulk, scale and height, architectural design, density, privacy and amenity impacts, traffic and parking, stormwater management, waste collection, heritage impact and decrease in property values.

The applicant has submitted plans that show stormwater for the site will discharge into a proposed drainage easement on the adjoining lot. The applicant has not provided Council with evidence that the creation of an easement is supported by the adjoining land owner, nor has landowner's consent been provided for the discharge of stormwater or the works on this property as legally required. Council has repeatedly requested the applicant provide this information since May 2024. In addition, sufficient information and supporting documentation regarding suitable stormwater disposal, earthworks and retaining walls has not been provided to enable Council to adequately assess the impacts of the development upon adjoining properties.

*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 due to insufficient information, and no legal point of stormwater discharge it is recommended that the development application be refused.*

**OFFICER'S RECOMMENDATION**

**THAT**

1. **DA/2023/1142 for Multi Dwelling Housing at 63 Burg Street East Maitland is refused for the reasons provided in Attachment 4 of this report.**

**COUNCIL RESOLUTION**

**THAT**

1. **DA/2023/1142 for Multi Dwelling Housing at 63 Burg Street East Maitland is refused for the reasons provided in Attachment 4 of this report.**

**Moved Cr A Atkinson, Seconded Cr S Halliday**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

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	

## 11.6 Exhibition of the Draft Maitland Residential Density Guide 2025

<b>FILE NO:</b>	<b>103/170</b>
<b>ATTACHMENTS:</b>	<b>1. Draft Maitland Residential Density Guide (February 2025) (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning Manager Strategic Planning</b>
<b>AUTHOR:</b>	<b>Strategic Planning Policy Lead</b>
<b>MAITLAND +10</b>	<b>Outcome 7 To afford the house we want in the neighbourhood we like</b>
<b>COUNCIL OBJECTIVE:</b>	<b>7.1.1 Implement a Local Housing Strategy that identifies how and where housing will be provided across the city</b>

### EXECUTIVE SUMMARY

*In June 2023, Council adopted the Maitland Local Housing Strategy 2041. Subsequently, this Strategy was endorsed by the Department of Planning, Housing and Infrastructure (DPHI) in September 2024. The preparation of the draft Maitland Residential Density Guide is a key action identified in the Local Housing Strategy and Council's Operational Plan 2024/2025.*

*In 2024, Council commissioned Smith & Tzannes Pty Ltd to carry out research on residential density and prepare a Residential Density Guide for the city to inform future planning and development.*

*The purpose of this report is to present to Council the draft Residential Density Guide and seek endorsement for public exhibition.*

### OFFICER'S RECOMMENDATION

#### THAT

- 1. Council endorses the Draft Maitland Residential Density Guide (dated February 2025) in Attachment 1 for public exhibition for a minimum period of 28 days.**
- 2. A further report be prepared for Council's consideration following the exhibition of the Draft Maitland Residential Density Guide.**

**COUNCIL RESOLUTION**

**THAT**

1. Council endorses the Draft Maitland Residential Density Guide (dated February 2025) in Attachment 1 for public exhibition for a minimum period of 28 days.
2. A further report be prepared for Council's consideration following the exhibition of the Draft Maitland Residential Density Guide.

**Moved Cr S Halliday, Seconded Cr M Griffin**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

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	

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## 11.7 Regulatory Compliance Policy Review – Public Exhibition

<b>FILE NO:</b>	<b>103/166</b>
<b>ATTACHMENTS:</b>	<b>1. Draft Regulation and Compliance Policy (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning</b>
<b>AUTHOR:</b>	<b>Coordinator Regulatory Compliance</b>
<b>MAITLAND +10</b>	<b>Outcome 15 To have an effective and efficient Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>15.1.4 Implement and maintain a contemporary governance, audit and risk framework</b>

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### EXECUTIVE SUMMARY

*This report recommends Maitland City Council place the draft updated Regulatory Compliance Policy (“the Policy”) on public exhibition for a period of twenty-eight (28) days. Following extensive consultation with Regulatory Compliance team members, the draft Policy addresses challenges related to clarity, enforcement consistency, and alignment with the Enforcement Guidelines for Councils (2015). It also provides clear guidance for officers, ensuring regulatory actions are fair, transparent, and consistent, while reflecting modern community expectations.*

### OFFICER’S RECOMMENDATION

#### THAT

- 1. The draft updated Regulatory Compliance Policy be placed on public exhibition for a period of twenty-eight (28) days as per this report.**
- 2. If no submissions are received by the exhibition expiry date, the draft Regulatory Compliance Policy be adopted pursuant to Section 161 of the Local Government Act 1993.**
- 3. If submissions are received, Council Officers report back to Council with a summary of the feedback and any recommended changes.**

**COUNCIL RESOLUTION**

**THAT**

1. The draft updated Regulatory Compliance Policy be placed on public exhibition for a period of twenty-eight (28) days as per this report.
2. If no submissions are received by the exhibition expiry date, the draft Regulatory Compliance Policy be adopted pursuant to Section 161 of the Local Government Act 1993.
3. If submissions are received, Council Officers report back to Council with a summary of the feedback and any recommended changes.

**Moved Cr S Halliday, Seconded Cr K Flannery**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

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

Against:



## 11.8 Petition: Tree Planting in Council Park Opposite Leda St, Reedling St, Odanata St

<b>FILE NO:</b>	<b>55/2</b>
<b>ATTACHMENTS:</b>	<b>1. Petition (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning Manager Environment &amp; Sustainability</b>
<b>AUTHOR:</b>	<b>Coordinator Natural Environment &amp; Resilience Principal Development Contributions Planner</b>
<b>MAITLAND +10</b>	<b>Outcome 12 To be ready in case of more hot days, storms and floods</b>
<b>COUNCIL OBJECTIVE:</b>	<b>12.1.2 Address urban heat island effects by increasing shade through tree planting and tree retention across the city</b>

### EXECUTIVE SUMMARY

*On 3 November 2024, Council received a petition requesting Council plant crepe myrtle and jacaranda trees within the park located at 2 Leda Street, Chisholm. This petition complies with Council's Receipt of Petitions Policy and is consequently tabled at this Council meeting on 11 March 2025.*

*The park referred to in the petition is identified as TN9 within the Thornton North Development Contributions Plan. Embellishment of the site, including tree planting, is proposed to be undertaken by AVID Property Group under a Voluntary Planning Agreement which is currently being finalised. It is likely that any early tree planting by Council will impede embellishment by the developer and could result in trees being damaged or having to be removed.*

### OFFICER'S RECOMMENDATION

#### THAT

- 1. The petition received on 3 November 2024 requesting tree planting at TN9 be noted.**
- 2. Council defers any standalone tree planting at TN9 to maintain alignment with previously proposed embellishment works and prevent potential duplication or conflict.**

3. **The Chief Petitioner is notified of Council's determination of the petition within 21 days after the petition is tabled, in accordance with the Receipt of Petitions Policy.**

### **PROCEEDINGS IN BRIEF**

A motion was moved.  
(Cr M Yarrington / Cr M Griffin)

**THAT**

1. The petition received on 3 November 2024 requesting tree planting at TN9 be noted.
2. Council defers any standalone tree planting at TN9 to maintain alignment with previously proposed embellishment works and prevent potential duplication or conflict.
3. The Chief Petitioner is notified of Council's determination of the petition within 21 days after the petition is tabled, in accordance with the Receipt of Petitions Policy.
4. Council Officers request the developer to incorporate tree planting in accordance with the petition, be included in the landscape design for TN9 under the proposed Voluntary Planning Agreement.

### **COUNCIL RESOLUTION**

**THAT**

1. **The petition received on 3 November 2024 requesting tree planting at TN9 be noted.**
2. **Council defers any standalone tree planting at TN9 to maintain alignment with previously proposed embellishment works and prevent potential duplication or conflict.**
3. **The Chief Petitioner is notified of Council's determination of the petition within 21 days after the petition is tabled, in accordance with the Receipt of Petitions Policy.**
4. **Council Officers request the developer to incorporate tree planting in accordance with the petition, be included in the landscape design for TN9 under the proposed Voluntary Planning Agreement.**

**Moved Cr M Yarrington, Seconded Cr M Griffin**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

For:		Against:
	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	

DRAFT

## 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.**

**COUNCIL RESOLUTION**

**THAT**

- 1. 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.**
- 2. If no submissions objecting to the amendments are received, Council delegates authority to the General Manager to finalise the amendments.**
- 3. If one or more submissions objecting to the amendments are received, a further report will be presented to Council for consideration.**

**Moved Cr S Halliday, Seconded Cr M Griffin**

**CARRIED**

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

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 Local Traffic Committee Meeting Minutes (February 2025)

<b>FILE NO:</b>	140/5
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. LTC Minutes – 6 February 2025 (Under Separate Cover)</li> <li>2. Item 5.1 Live at The Levee Street Party – Event Traffic &amp; Transport Management (Under Separate Cover)</li> <li>3. Item 5.2 – Event – Steamfest 2025 – Event Traffic &amp; Transport Management (Under Separate Cover)</li> <li>4. Item 5.3 Anzac Day – Central Maitland – 25 April 2025 – Event Traffic &amp; Transport Management (Under Separate Cover)</li> <li>5. Item 5.4 Anzac Day – East Maitland – 25 April 2025 – Event Traffic &amp; Transport Management (Under Separate Cover)</li> <li>6. Item 5.5 Anzac Day – Morpeth – 25 April 2025 – Event Traffic &amp; Transport Management (Under Separate Cover)</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	Director City Services Manager Asset Strategy and Engineering
<b>AUTHOR:</b>	Operations Manager Transport & Infrastructure Engineering Traffic Management Officer
<b>MAITLAND +10</b>	Outcome 2 To easily get to where we want to go
<b>COUNCIL OBJECTIVE:</b>	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 6 February 2025 are attached for information. At this meeting temporary road closure applications were considered and endorsed for acceptance for five (5) events. Council resolution is required to implement the temporary road closures associated with the management of the events.*

**OFFICER'S RECOMMENDATION**

**THAT**

1. The Local Traffic Committee meeting minutes of 6 February 2025 be noted.
2. Council notes the Mayoral approval under Section 226(D) for the Local Government Act 1993 of the traffic management plans and road closures for the Live at The Levee Street Party – Event Traffic & Transport Management.
3. Council approves the traffic management plans and road closures for the following event as recommended in the attached reports:
  - a. Event - Steamfest 2025 – Event Traffic & Transport Management
  - b. Anzac Day – Central Maitland – 25 April 2025 – Event Traffic & Transport Management
  - c. Anzac Day – East Maitland – 25 April 2025 – Event Traffic & Transport Management
  - d. Anzac Day – Morpeth – 25 April 2025 – Event Traffic & Transport Management

**COUNCIL RESOLUTION**

**THAT**

1. The Local Traffic Committee meeting minutes of 6 February 2025 be noted.
2. Council notes the Mayoral approval under Section 226(D) for the Local Government Act 1993 of the traffic management plans and road closures for the Live at The Levee Street Party – Event Traffic & Transport Management.
3. Council approves the traffic management plans and road closures for the following event as recommended in the attached reports:
  - a. Event - Steamfest 2025 – Event Traffic & Transport Management
  - b. Anzac Day – Central Maitland – 25 April 2025 – Event Traffic & Transport Management
  - c. Anzac Day – East Maitland – 25 April 2025 – Event Traffic & Transport Management

**d. Anzac Day – Morpeth – 25 April 2025 – Event Traffic & Transport Management**

**Moved Cr W Penfold, Seconded Cr M Griffin**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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

Against:



## 13 Customer and Digital Services

Nil

DRAFT

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## 14 People and Performance

### 14.1 Communication and Engagement Strategy 2024–2028

<b>FILE NO:</b>	<b>35/74/4</b>
<b>ATTACHMENTS:</b>	<b>1. Communication and Engagement Strategy Submissions (Under Separate Cover)</b> <b>2. Communication and Engagement Strategy (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Executive Manager People and Performance</b>
<b>AUTHOR:</b>	<b>Manager Communications, Marketing and Engagement Strategic Engagement Officer</b>
<b>MAITLAND +10</b>	<b>Outcome 14 To have elected leaders that look out for us</b>
<b>COUNCIL OBJECTIVE:</b>	<b>14.1.1 Increase opportunities for all members of our community to have their say in decision making</b>

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#### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the draft Communication and Engagement Strategy after the public exhibition period. The Communication and Engagement Strategy creates a framework for successful and meaningful communication and engagement with the community and other stakeholders.

The draft Communication and Engagement Strategy was exhibited for 50 days and attracted five submissions. This report recommends the adoption of the draft Communication and Engagement Strategy with no changes.

#### OFFICER'S RECOMMENDATION

##### THAT

- 1. Council note the five submissions received (Attachment 1).**
- 2. Council adopt the draft Communication and Engagement Strategy (Attachment 2).**

**COUNCIL RESOLUTION**

**THAT**

- 1. Council note the five submissions received (Attachment 1).**
- 2. Council adopt the draft Communication and Engagement Strategy (Attachment 2).**

**Moved Mayor P Penfold, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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

Against:

## 14.2 Maitland's Future – Community Strategic Plan 2025–2034

<b>FILE NO:</b>	<b>29/41/5</b>
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li><b>Maitland's Future, Community Strategic Plan 2025–2034 (Under Separate Cover)</b></li> <li><b>Maitland's Future – Public Exhibition Report March 2025 (Under Separate Cover)</b></li> </ol>
<b>RESPONSIBLE OFFICER:</b>	<b>Executive Manager People and Performance</b>
<b>AUTHOR:</b>	<b>Manager Corporate Planning and Performance</b>
<b>MAITLAND +10</b>	<b>Outcome 17. An efficient and effective Council</b>
<b>COUNCIL OBJECTIVE:</b>	<b>17.1.1 To see Council's integrated planning and reporting recognised by the community, Council and the NSW State Government</b>

### EXECUTIVE SUMMARY

*Maitland's Future is the highest-level plan that we prepare. Its purpose is to identify the community's main priorities and aspirations for the future and plan strategies for achieving these goals. Maitland's Future guides all other strategies and plans and must be developed with and on behalf of the community.*

*We all have an important role to play in Maitland's Future. Together, we have developed an ambitious long-term vision that sets out our priorities for the future. Our community is passionate about Maitland, and they love where they live. This willingness to engage has helped shape our city's future.*

*Our engagement began in February 2024 at local community events and was followed by workshops, stakeholder meetings, surveys, online discussions and local neighbourhood conversations. We wanted to make sure we heard from all of Maitland – young and old, from Woodberry to Luskintyre and everywhere in between.*

### OFFICER'S RECOMMENDATION

#### THAT

- Council endorse Maitland's Future Community Strategic Plan 2025–2034.**

**COUNCIL RESOLUTION**

**THAT**

- 1. Council endorse Maitland's Future Community Strategic Plan 2025-2034.**

**Moved Cr S Halliday, Seconded Cr M Yarrington**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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

Against:

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## 15 Finance

### 15.1 Statement of Investments as at 28 February 2025

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 28 February 2025
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

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#### EXECUTIVE SUMMARY

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

*As at the end of February 2025, Council had investments totaling \$226,235,016 under management.*

*Council's investment portfolio recorded a marked-to-market return of 5.63% per annum versus the bank bill index benchmark return of 4.51% per annum. The actual investment return for the month of February was \$924,736, a favourable variance of \$2,935 when compared to the revised monthly budget forecasts of \$921,801.*

*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 K Flannery**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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

Against:

**16 Items for Information**

Nil

**17 Notices of Motion/Rescission**

Nil

DRAFT



## 18 Questions with Notice

### 18.1 Welcome to Country

Submitted by Cr Mitchell Griffin

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

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Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 18 March 2025:

*Can council officers advise how much funding was paid towards Welcome to Country/Acknowledgement of Country in the last term of council (2022 to 2024), and how many events this covered?*

#### RESPONSE BY GENERAL MANAGER

A total of \$12430 has been paid towards Welcome to Country/Acknowledgement of Country in the last term of Council. This covered 21 events.

## 19 Urgent Business

- 19.1 Cr Mitchell Griffin raised that Maitland City Council submits the following motion and narrative to the 2025 ALGA NGA:

This National General Assembly calls on the Australian Government, and all State and Territory Governments, to support freedom of choice for consumers in the energy market, including the option of having gas connected to newly constructed homes.

Narrative:

Maitland is currently the fastest growing LGA in Regional NSW with a family per day moving to our city. In our city we have seen considerable development of new housing where gas has been a popular choice for families building their new home. Gas provides a cheaper option for cooking, heating and water. With much of our power currently coming from coal powered electricity plants, gas is also more environmentally friendly. This motion reinforces the consumers right to freedom of choice when it comes to choosing their energy and therefore calls on ALGA to make representations to State and Federal Governments to ensure people have choice when building their new home.

Accepted as urgent business

### COUNCIL RESOLUTION

**THAT**

**Maitland City Council submits the following motion and narrative to the 2025 ALGA NGA:**

**This National General Assembly calls on the Australian Government, and all State and Territory Governments, to support freedom of choice for consumers in the energy market, including the option of having gas connected to newly constructed homes.**

**Moved Cr M Griffin, Seconded Cr S Halliday**

**CARRIED**

The division resulted in 10 for and 3 against, as follows:

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

Council moved into Committee of the Whole at 7.47 pm.

Moved Cr D Ferris, Seconded Cr K Jordan

CARRIED

The division resulted in 13 for and 0 against, as follows:

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		

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 7.48 pm.

Moved Cr M Yarrington, Seconded Cr W Penfold

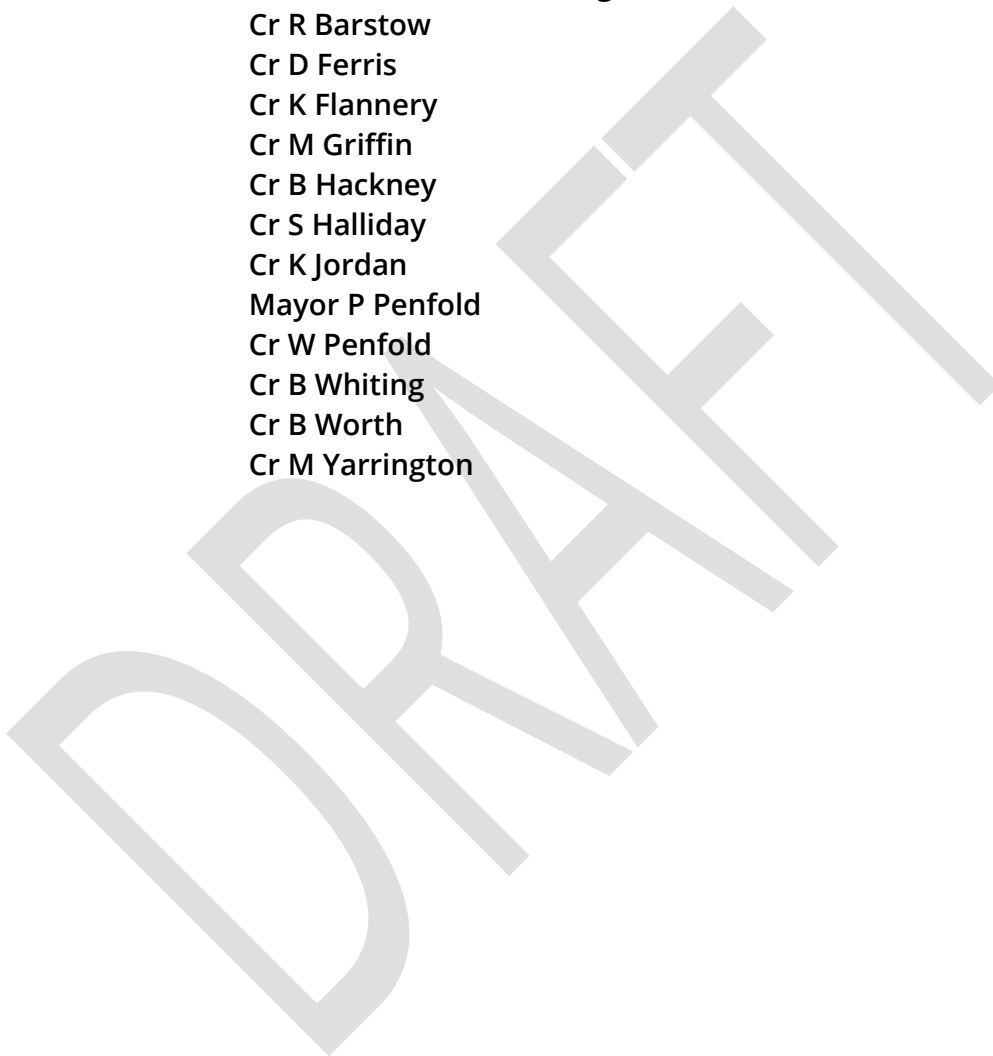
CARRIED

The division resulted in 13 for and 0 against, as follows:

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

Against:



## 20 Committee of the Whole

### 20.1 Land & Environment Court Legal Update

<b>FILE NO:</b>	<b>85/43</b>
<b>ATTACHMENTS:</b>	<b>Nil</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Planning Executive Manager People and Performance</b>
<b>AUTHOR:</b>	<b>Director City Planning</b>
<b>MAITLAND +10</b>	<b>Outcome 16 To work together to be the best our community can be</b>
<b>COUNCIL OBJECTIVE:</b>	<b>16.1.2 Work with service providers and other levels of government to deliver land use planning and community infrastructure outcomes</b>

***THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.***

#### EXECUTIVE SUMMARY

*This report provides an update on the status of the applications that have been in the Land and Environment Court in the 2024/25 Financial Year.*

#### 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:***

***(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.***

Cr M Griffin declared a non-pecuniary interest in this item and left the Chambers at 7.50 pm and did not participate in discussion or voting on the matter

**COMMITTEE RECOMMENDATION**

**THAT the information contained in this Report be noted.**

**Moved Cr S Halliday, Seconded Cr M Yarrington**

**CARRIED**

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

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

Cr M Griffin returned to the Chambers at 7.53 pm.

Council resumed into Ordinary Council at 7.53 pm.

Moved Cr B Hackney, Seconded Cr W Penfold

CARRIED

The division resulted in 13 for and 0 against, as follows:

For:		Against:
	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	

## **21 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

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

- 20.1 Land & Environment Court Legal Update  
THAT the information contained in this Report be noted.

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**OFFICERS RECOMMENDATION**

**THAT**

**The Committee recommendations be adopted.**

**Moved Cr S Halliday, Seconded Cr K Jordan**

**CARRIED**

The division resulted in 13 for and 0 against, as follows:

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	

**22 CLOSURE**

The meeting was declared closed at 7.55 pm.

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Chairperson