

Ordinary Meeting Minutes

20 May 2025

Table of Contents

Item	Subject	Page No
	_Toc199325089	
1	INVOCATION.....	1
2	ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE.....	1
4	DECLARATIONS OF INTEREST	1
5	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	1
6	BUSINESS ARISING FROM MINUTES	2
7	WITHDRAWAL OF ITEMS AND ACCEPTANCE OF LATE ITEMS OF BUSINESS	2
8	PUBLIC ACCESS.....	2
9	MAYORAL MINUTE	7
10	OFFICE OF THE GENERAL MANAGER	8
10.1	MAYOR, DEPUTY MAYOR AND GENERAL MANAGER DELEGATIONS.....	8
10.2	COMMITTEE REVIEW UPDATE.....	13
10.3	COUNCIL PRIORITIES FOR NSW STATE GOVERNMENT BUDGET.....	18
11	CITY PLANNING.....	20
11.1	EXHIBITION OF THE DRAFT MAITLAND DEVELOPMENT CONTROL PLAN 2025 AND THE DRAFT MAITLAND MANUAL OF ENGINEERING STANDARDS 2025.....	20

11.2	EXHIBITION OF THE DRAFT ECONOMIC DEVELOPMENT STRATEGY	23
11.3	DA/2019/653:2 FOR SECTION 4.55(2) MODIFICATION APPLICATION TO SUBDIVISION LAYOUT, LOT YIELD (REDUCE TO 138), STAGING, EARTHWORKS, CIVIL WORKS AND CONDITIONS AT 119 MCFARLANES ROAD CHISHOLM	25
11.4	DA/2023/509 FOR DEMOLITION, 3 INTO 325 LOT TORRENS TITLE RESIDENTIAL SUBDIVISION, 3 PUBLIC RESERVE LOTS, 1 RESIDUE LOT AND STAGING WITH 8 STAGES AT 165 AND 173 MCFARLANES ROAD AND PART OF 507 RAYMOND TERRACE ROAD, CHISHOLM	28
11.5	DA/2023/842 FOR MANUFACTURED HOME ESTATE AND MULTI-DWELLING HOUSING (254 DWELLING SITES), COMMUNITY FACILITIES AND TREE REMOVAL AT 283 & 303 WOLLOMBI ROAD FARLEY	31
11.6	DA/2024/871 FOR TELECOMMUNICATIONS FACILITY AT 26 ST ANDREWS STREET, MAITLAND	35
11.7	DA 2024/1050 FOR PARTIAL DEMOLITION, CONSTRUCTION OF DOUBLE CARPORT AND ONE (1) INTO TWO (2) LOT TORRENS TITLE SUBDIVISION AT 41 LARGS AVENUE LARGS (LOT: 211 DP 1068991)	37
12	CITY SERVICES	39
12.1	MOBILE FOOD IN PUBLIC PLACES POLICY	39
12.2	RESCINDING OF CITY SERVICES POLICIES	43
12.3	LOCAL TRAFFIC COMMITTEE MEETING MINUTES (APRIL 2025)	46
12.4	TEMPORARY SUSPENSION OF ALCOHOL FREE ZONE.....	48
13	CUSTOMER AND DIGITAL SERVICES	50
	Nil	
14	PEOPLE AND PERFORMANCE	51
14.1	QUARTERLY PROGRESS REPORT – Q3 FY2024–25	51
15	FINANCE.....	53

15.1	PARTIAL ROAD CLOSURE AND SALE OF LAND-TOLL BRIDGE LANE, EAST MAITLAND.	53
15.2	LOCAL GOVERNMENT AREA BOUNDARY ADJUSTMENT- LOXFORD.....	55
15.3	THIRD QUARTER BUDGET REVIEW 2024/25 PERIOD ENDED 31 MARCH 2025	58
15.4	STATEMENT OF INVESTMENTS AS AT 30 APRIL 2025.....	60
16	ITEMS FOR INFORMATION	62
16.1	CONFERENCE RESOLUTION FOR ILLEGAL VANDALISM OF GRAVES, MONUMENTS, MEMORIALS AND STATUES	62
17	NOTICES OF MOTION/RESCISSION	64
17.1	WRITER'S FESTIVAL.....	64
18	QUESTIONS WITH NOTICE	66
18.1	CUSTOMER REQUEST AND COMPLAINT HANDLING RESOLUTION.....	66
18.2	HISTORICAL RATES DATA	67
18.3	FEDERAL ELECTION ADVOCACY	68
19	URGENT BUSINESS	69
20	COMMITTEE OF THE WHOLE	70
20.1	SALE AND DEDICATION OF LAND- 110 NEWCASTLE ROAD, EAST MAITAND.	70
20.2	CONSIDERATION OF TENDERS – 2024/137/2419 MAITLAND AQUATICS CENTRE 50M POOL REMEDIATION PROJECT	72
20.3	CONSIDERATION OF TENDERS – 2024/137/2354 CLEANING SERVICES FOR COUNCIL FACILITIES.....	74
21	COMMITTEE OF THE WHOLE RECOMMENDATIONS	76
22	CLOSURE	78

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 of 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

The Mayor advised Cr B Hackney is expected to arrive late.

4 Declarations of Interest

Nil

5 Confirmation of Minutes of Previous Meeting

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 15 April 2025 be confirmed.

Moved Cr K Jordan, Seconded Cr D Ferris

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 M Griffin	
	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

Jennifer Buffier representing self, spoke Against Item No 10.2 – Committee Review Update

Therese Myee representing Maitland Heritage Guardians, spoke Against Item No 10.2 – Committee Review Update

Alan Todd representing self, spoke Against Item No 11.4 – DA/2023/509 for Demolition, 3 into 325 Lot Torrens Title Residential Subdivision, 3 Public Reserve Lots, 1 Residue Lot and Staging with 8 Stages at 165 And 173 McFarlanes Road and Part of 507 Raymond Terrace Road, Chisholm

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Alan Todd.

Moved Cr B Whiting, Seconded Cr M Griffin

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

Ross Hyde-Smith representing Allam Property Group (Allam Land No 4 Pty Ltd), spoke For Item No 11.4 – DA/2023/509 for Demolition, 3 into 325 Lot Torrens Title Residential Subdivision, 3 Public Reserve Lots, 1 Residue Lot and Staging with 8 Stages at 165 and 173 McFarlanes Road and Part of 507 Raymond Terrace Road, Chisholm

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Ross Hyde-Smith.

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

Corinne Hunter representing self, spoke Against Item No 11.5 - DA/2023/842 for Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal at 283 & 303 Wollombi Road Farley

Cr B Hackney arrived in the chambers at 5.54pm.

Tom Copping representing Vivacity Property, spoke Against Item No 11.5 - DA/2023/842 for Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal at 283 & 303 Wollombi Road Farley

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Tom Copping.

Moved Cr S Halliday, Seconded Cr B Worth

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	

Tia Parisi-Mercer representing self, spoke For Item No 11.5 – DA/2023/842 For Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities And Tree Removal At 283 & 303 Wollombi Road Farley

Richard Bennett representing Hill Top Planners Pty Ltd, spoke Against Item No 11.6 - DA/2024/871 for Telecommunications Facility at 26 St Andrews Street, Maitland

Ben Dyer representing Indara Corporation Pty Ltd, spoke For Item No 11.6 - DA/2024/871 for Telecommunications Facility at 26 St Andrews Street, Maitland

Bruce Marich representing self, spoke For Item No 15.1 - Partial Road Closure and Sale of Land-Toll Bridge Lane, East Maitland

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Bruce Marich.

Moved Cr W Penfold, Seconded Cr B Worth

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:

DRAFT

9 Mayoral Minute

DRAFT

10 Office of the General Manager

10.1 Mayor, Deputy Mayor and General Manager Delegations

FILE NO:	35/7
ATTACHMENTS:	<ol style="list-style-type: none">1. Mayor, Deputy Mayor and General Manager Delegations 20222. Mayor, Deputy Mayor and General Manager Delegations 20253. Draft Call Up Form
RESPONSIBLE OFFICER:	General Manager
AUTHOR:	Manager Development & Compliance Team Leader OGM
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.2.3 Foster an engaged workforce that is skilled, collaborative and focused on our customer

EXECUTIVE SUMMARY

In accordance with Section 380 of the NSW Local Government Act 1993, Council is required to complete a review of its delegations within the first 12 months of each term of office.

This review has been completed and the reviewed Delegations of Authority is presented for consideration and adoption by Council.

OFFICER'S RECOMMENDATION

THAT

1. Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2022 (Attachment 1);
2. Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in the Delegation Document 2025 (Attachment 2), in accordance with Section 377 of the NSW Local Government Act 1993.
3. Council endorse the Draft Call Up Form (Attachment 3), for Councillors to request any development application for determination if they believe it warrants reporting to Council.

PROCEEDINGS IN BREIF

A motion was moved.

(Cr Griffin / Cr Halliday)

Cr Griffin Moved an Amendment:

THAT

- 1. Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2022 (Attachment 1);**
- 2. Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in the Delegation Document 2025 (Attachment 2), in accordance with Section 377 of the NSW Local Government Act 1993, with an addition to add the following:**
 - a. A \$10,000,000 limit be imposed for a proposed development**
 - b. A limit of five (5) submissions be received for a Development to come to Council**
 - c. The Call Up Form be capped at two (2) Councillors not three (3).**
- 3. Council endorse the Draft Call Up Form (Attachment 3), for Councillors to request any development application for determination if they believe it warrants reporting to Council.**

The amendment when put to the meeting was declared lost.

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

For:

Cr A Atkinson
Cr M Griffin
Cr S Halliday
Cr B Whiting

Against:

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

Mayor Penfold moved a foreshadowed amendment.

THAT:

1. **Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2022 (Attachment 1);**
2. **Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in the Delegation Document 2025 (Attachment 2), in accordance with Section 377 of the NSW Local Government Act 1993, with an addition to add the following:**
 - a. **A \$10,000,000 limit be imposed for a proposed development**
 - b. **A limit of five (5) submissions be received for a Development to come to Council**
 - c. **The Call Up Form be capped at three (3) Councillors.**
3. **Council endorse the Draft Call Up Form (Attachment 3), for Councillors to request any development application for determination if they believe it warrants reporting to Council.**

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

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

Point of Order raised by Cr Griffin that there was no seconder for the foreshadowed amendment.

The Mayor Penfold upheld the Point of Order. Cr Jordan agreed to become the seconder for the foreshadowed amendment put by Mayor Penfold.

The foreshadowed amendment was put again.

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

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

The amendment become the motion.

COUNCIL RESOLUTION

THAT

1. Council rescind the previous delegations of authority to the Mayor, Deputy Mayor and General Manager as adopted in 2022 (attachment 1);
2. Council delegate authorities to the Mayor, Deputy Mayor and General Manager as presented in the Delegation Document 2025 (Attachment 2), in accordance with Section 377 of the NSW Local Government Act 1993, with an addition to add the following:
 - a. A \$10,000,000 limit be imposed for a proposed development
 - b. A limit of five (5) submissions be received for a Development to come to Council
 - c. The Call Up Form be capped at three (3) Councillors.
3. Council endorse the Draft Call Up Form (Attachment 3), for Councillors to request any development application for determination if they believe it warrants reporting to Council.

Moved Mayor Penfold, Seconded Cr K Jordan

CARRIED

Cr Griffin advised he would abstain from voting and did not participate in voting on the matter. Item 10.4 of the Code of Meeting Practice outlines that a councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

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

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

Point of Order raised by Cr Griffin that there was no procedural motion to put the motion.

The Mayor overruled the Point of Order as the matter had been determined.

A Motion of Dissent was moved against the Mayor's ruling by Cr Griffin and seconded by Cr Barstow.

The motion of dissent when put to the meeting was declared lost:

The division resulted in 5 for and 8 against, as follows:

For:

Cr A Atkinson
Cr R Barstow
Cr M Griffin
Cr S Halliday
Cr B Whiting

Against:

Cr D Ferris
Cr K Flannery
Cr B Hackney
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Worth
Cr M Yarrington

DRAFT

10.2 Committee Review Update

FILE NO:	35/7/8
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Committee Review Submissions (Under Separate Cover) 2. Draft Committees in Maitland Framework (Under Separate Cover)
RESPONSIBLE OFFICER:	General Manager Executive Manager People and Performance
AUTHOR:	Team Leader OGM
MAITLAND +10	Outcome 16 To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.2.2 Facilitate opportunities for community leaders to connect and collaborate
Previous Items:	10.2 – Committee Review – Ordinary Council – 18 Mar 2025 5:30 PM

EXECUTIVE SUMMARY

At Council Meeting, 18 March 2025 Council endorsed the public exhibition of the draft Committees Structure for special purpose and strategic committees and the accompanying new Committees Draft Terms of Reference.

The purpose of this report is to present the submissions received in the public exhibition period and recommend amendments to the draft committee structure and draft New Committees terms of reference document.

OFFICER'S RECOMMENDATION

THAT

- 1. Council notes the submissions received (Attachment 1) for the draft new Committees Structure and new Committees Terms of Reference,**
- 2. Council adopts the draft new Committees Structure for special purpose and strategic committees, as updated in this report**
- 3. Council delegates the Councillor members for the new strategic committees,**
- 4. Council adopts the draft Committees in Maitland document (Attachment 2).**

5. The Terms of Reference (constitutions) of the Bruce Street Community Hall Management Group and Morpeth Museum Management Group are reviewed within 12 months.

PROCEEDINGS IN BRIEF

A motion was moved.

(Mayor Penfold / Cr B Worth)

THAT

1. Council notes the submissions received (Attachment 1) for the draft new Committees Structure and new Committees Terms of Reference,
2. Council adopts the Committees Structure for special purpose and strategic committees, as publicly exhibited, with the following change:
 - a. Rename the 'City Planning and Design Advisory Committee' to the 'City Planning, Heritage and Design Advisory Committee'
3. Council appoints Councillor representatives to the new strategic committees as follows:

City Planning Heritage and Design	
P Penfold	Chair
B Whiting	Deputy
W Penfold	
S Halliday	
M Yarrington	

Culture and Community	
B Hackney	Chair
W Penfold	Deputy
K Flannery	
B Worth	
A Atkinson	

Environment and Sustainability	
W Penfold	Chair
M Yarrington	Deputy
S Halliday	
K Flannery	
D Ferris	

Sport, Recreation and Leisure	
P Penfold	Chair
S Halliday	Deputy
B Hackney	
B Worth	
K Jordan	

Property Advisory	
P Penfold	Chair
K Jordan	Deputy
W Penfold	
B Hackney	
R Barstow	

4. Council delegates authority to the Mayor to determine the meeting day and time for each strategic committee and fill casual Councillor vacancies on the committees
5. Council delegates authority to the General Manager to undertake an expression of interest process and select community representatives and stakeholder representatives for each strategic committee and fill casual vacancies in these positions, with the outcome of the selection process to be reported to Council.
6. Council adopts the draft Committees in Maitland document (Attachment 2), and delegates authority to the General Manager to update the document to reflect the changes adopted above.
7. The Terms of Reference (constitutions) of the Bruce Street Community Hall Management Group and Morpeth Museum Management Group are reviewed within 12 months.

Moved Mayor P Penfold, Seconded Cr B Worth

CARRIED

COUNCIL RESOLUTION

THAT

1. Council notes the submissions received (Attachment 1) for the draft new Committees Structure and new Committees Terms of Reference,
2. Council adopts the Committees Structure for special purpose and strategic committees, as publicly exhibited, with the following change:

- a. Rename the 'City Planning and Design Advisory Committee' to the 'City Planning, Heritage and Design Advisory Committee'
3. Council appoints Councillor representatives to the new strategic committees as follows:

City Planning Heritage and Design	
P Penfold	Chair
B Whiting	Deputy
W Penfold	
S Halliday	
M Yarrington	

Culture and Community	
B Hackney	Chair
W Penfold	Deputy
K Flannery	
B Worth	
A Atkinson	

Environment and Sustainability	
W Penfold	Chair
M Yarrington	Deputy
S Halliday	
K Flannery	
D Ferris	

Sport, Recreation and Leisure	
P Penfold	Chair
S Halliday	Deputy
B Hackney	
B Worth	
K Jordan	

Property Advisory	
P Penfold	Chair
K Jordan	Deputy
W Penfold	
B Hackney	
R Barstow	

4. Council delegates authority to the Mayor to determine the meeting day and time for each strategic committee and fill casual Councillor vacancies on

the committees

5. Council delegates authority to the General Manager to undertake an expression of interest process and select community representatives and stakeholder representatives for each strategic committee and fill casual vacancies in these positions, with the outcome of the selection process to be reported to Council.
6. Council adopts the draft Committees in Maitland document (Attachment 2), and delegates authority to the General Manager to update the document to reflect the changes adopted above.
7. The Terms of Reference (constitutions) of the Bruce Street Community Hall Management Group and Morpeth Museum Management Group are reviewed within 12 months.

Moved M Penfold, Seconded B Worth

CARRIED

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

For:

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 A Atkinson
Cr R Barstow
Cr D Ferris
Cr M Griffin

10.3 Council Priorities for NSW State Government Budget

FILE NO:	47/10
ATTACHMENTS:	1. Council Priorities Grants Program List
RESPONSIBLE OFFICER:	General Manager
AUTHOR:	Team Leader OGM
MAITLAND +10	Outcome 16. To work together to be the best our community can be
COUNCIL OBJECTIVE:	16.1.2 Work with service providers and other levels of government to deliver land use planning and community infrastructure outcomes

EXECUTIVE SUMMARY

In the upcoming NSW State Government Budget for 2025-26, Local Government Councils are advocating for grant assistance from the State Government to support the funding of prioritized key areas including various infrastructure projects.

This report formalises the advocacy priorities for various projects requiring grant assistance which have been established in Council's strategic documents. It is recommended that Council confirms its position on these priorities to inform communication for the upcoming NSW State Government Budget.

OFFICER'S RECOMMENDATION

THAT

1. Council write to the NSW Premier, NSW Treasurer and Members for Maitland and Upper Hunter, outlining Council's priorities for the NSW State Government Budget.

PROCEEDINGS IN BRIEF

A motion was moved being the Officers Recommendation.
(Mayor Penfold / Cr M Yarrington)

Cr B Whiting suggested an additional point be added to the motion as follows:

A flood evacuation route for Central Maitland be included in the list of Council priorities

Mayor Penfold and Cr M Yarrington agree to the point being added.

The motion was carried.

COUNCIL RESOLUTION

THAT

- 1. Council write to the NSW Premier, NSW Treasurer and Members for Maitland and Upper Hunter, outlining Council's priorities for the NSW State Government Budget.**
- 2. A flood evacuation route for Central Maitland be included in the list of Council priorities**

Moved Mayor P Penfold, Seconded Cr M Yarrington

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 M Griffin
Cr B Hackney
Cr K Jordan
Mayor P Penfold
Cr W Penfold
Cr B Whiting
Cr B Worth
Cr M Yarrington

Against:

Cr S Halliday

11 City Planning

11.1 Exhibition of the Draft Maitland Development Control Plan 2025 and The Draft Maitland Manual of Engineering Standards 2025

FILE NO: 103/193

ATTACHMENTS:

1. Draft Maitland Development Control Plan 2025 (Under Separate Cover)
2. Draft Maitland Manual of Engineering Standards (Under Separate Cover)
3. Draft Maitland Development Control Plan 2025 – Supporting Documents (Under Separate Cover)
4. Draft Maitland Manual of Engineering Standards – Supporting Documents (Under Separate Cover)

RESPONSIBLE OFFICER: Director City Planning
Manager Strategic Planning
Manager Development & Compliance

AUTHOR: Strategic Planning Policy Lead
Coordinator Subdivision & Development
Strategic Planner

MAITLAND +10 Outcome 7 To afford the house we want in the neighbourhood we like

COUNCIL OBJECTIVE: 7.2.4 Update the city's planning and engineering policies and guidelines to ensure a contemporary legislated framework to guide development activity

EXECUTIVE SUMMARY

*This report seeks Council's endorsement for public exhibition of the draft Maitland Development Control Plan 2025 (**Attachment 1**), the draft Maitland Manual of Engineering Standards 2025 (**Attachment 2**), and the respective supporting documents for both the DCP (**Attachment 3**) and the MoES (**Attachment 4**).*

The Maitland Development Control Plan 2011 (MDCP 2011) provides detailed planning and design guidelines to support the planning controls in the Maitland Local Environmental Plan 2011 (MLEP 2011). The current MDCP 2011 has undergone several amendments between 2015 and 2022. The need for a comprehensive review of the MDCP 2011 was identified in Council's Operational Plan 2024-2025.

The proposed draft MDCP 2025 is the culmination of this comprehensive review and aims to create a document that reflects contemporary controls, aligned with current legislation, policies, plans and strategies to enhance planning and design outcomes of future development within the Maitland LGA.

The Manual of Engineering Standards (MoES) is a suite of documents that provides engineering/technical specifications for developments and subdivisions.

Council's existing MoES was last reviewed and updated in 2014. Since then, there have been significant changes in legislation, guidelines and industry standards. The proposed draft MoES has also been updated in conjunction with the new DCP to ensure it remains current, relevant, and aligned with the new DCP provisions.

OFFICER'S RECOMMENDATION

THAT

1. Pursuant to Clause 13 of the *Environmental Planning and Assessment Regulation 2021*, Council exhibits the draft Maitland Development Control Plan 2025 (Attachment 1) and its supporting documents for a minimum period of 28 days.
2. Council exhibits the draft Maitland Manual of Engineering Standards 2025 (Attachment 2) and its supporting documents for a minimum period of 28 days.
3. Council delegates the General Manager to make minor amendments that do not alter the intent to the draft Development Control Plan 2025 and draft Manual of Engineering Standards 2025 for the purpose of public exhibition, if required.
4. A further report be submitted to Council following public exhibition of the draft Development Control Plan 2025 and the draft Manual of Engineering Standards 2025, including a Response to Submissions Report.

COUNCIL RESOLUTION

THAT

1. Pursuant to Clause 13 of the *Environmental Planning and Assessment Regulation 2021*, Council exhibits the draft Maitland Development Control Plan 2025 (Attachment 1) and its supporting documents for a minimum period of 28 days.
2. Council exhibits the draft Maitland Manual of Engineering Standards 2025 (Attachment 2) and its supporting documents for a minimum period of 28 days.
3. Council delegates the General Manager to make minor amendments that do not alter the intent to the draft Development Control Plan 2025 and draft Manual of Engineering Standards 2025 for the purpose of public exhibition, if required.
4. A further report be submitted to Council following public exhibition of the draft Development Control Plan 2025 and the draft Manual of Engineering Standards 2025, including a Response to Submissions Report.

Moved Cr K Jordan, Seconded Cr M Griffin

CARRIED

PROCEEDINGS IN BRIEF

Point of Order raised by Cr Jordan as Cr Ferris stated that Cr Jordan is advocating for the developers.

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:

11.2 Exhibition of the Draft Economic Development Strategy

FILE NO:	153/6
ATTACHMENTS:	1. Draft Economic Development Strategy (Under Separate Cover)
RESPONSIBLE OFFICER:	Manager Strategic Planning Director City Planning
AUTHOR:	City Economy Specialist
MAITLAND +10	Outcome 6 To shop and work locally
COUNCIL OBJECTIVE:	6.2.2 Complete and implement a new approach to economic development

EXECUTIVE SUMMARY

In 2020, Council endorsed the Maitland Local Strategic Planning Statement 2040+ (LSPS). The preparation of an Economic Development Strategy is a key priority action identified in this Statement.

The draft Economic Development Strategy (EDS or 'Strategy') sets out a framework to guide Council actions to address commitments made in our LSPS, Maitland's Future Community Strategic Plan and to respond to community wellbeing and economic priorities.

The draft Strategy has been prepared internally, utilising a range of information and data sources, from economic research and analysis to extensive community consultation. The draft Strategy also responds to economic priorities and policies including but not limited to the Hunter Regional Economic Development Strategy (2023).

Following Phase One of the community engagement, at the Council meeting held Tuesday 22 November 2022 Council was provided with a project update and summary of engagement outcomes as documented in the Future Maitland Engagement Summary Report. Since this time, further consultation has been undertaken with the community, industry stakeholders and the government agencies, to help formulate the Maitland Economic Development Strategy.

The purpose of this report is to present to Council the draft Strategy and seek endorsement for public exhibition.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the draft Economic Development Strategy 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 Economic Development Strategy.

COUNCIL RESOLUTION

THAT

1. Council endorses the draft Economic Development Strategy 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 Economic Development Strategy.

Moved Cr S Halliday, Seconded Cr M Yarrington

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	

11.3 DA/2019/653:2 for Section 4.55(2) Modification Application to Subdivision Layout, Lot Yield (Reduce to 138), Staging, Earthworks, Civil Works and Conditions at 119 McFarlanes Road Chisholm

FILE NO: DA/2019/653:2

ATTACHMENTS:

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

RESPONSIBLE OFFICER: Director City Planning
Manager Development & Compliance
Coordinator Planning & Development

AUTHOR: Senior Development Planner

APPLICANT: Allam Land No. 4 Pty Ltd

OWNER: Allam Land No.4 Pty Ltd

PROPOSAL: Section 4.55(2) Modification Application to Subdivision Layout, Lot Yield (Reduce to 138), Staging, Earthworks, Civil Works and Conditions

LOCATION: 119 McFarlanes Road, Chisholm, Lot 82 in DP1302072

ZONE: R1 General Residential

EXECUTIVE SUMMARY

*Development Application DA/2019/653 was approved by Council on 12 May 2020 for a Torrens Title Subdivision with 143 Residential Lots and Associated Infrastructure at 119 McFarlanes Road, Chisholm (refer to **Attachment 1** for the Locality Plan).*

The first modification DA/2019/653:1 was approved on 26 February 2024 for 'deletion of condition 28', where further investigation revealed that an Aboriginal Heritage Impact Permit was not required.

*This modification application was lodged on 4 December 2024 and seeks to amend the subdivision layout, lot yield (reduce to 138 lots), earthworks, roads and conditions of consent (refer to **Attachment 2** for the Plans).*

Under the Maitland Local Environmental Plan (MLEP) 2011, the site is zoned R1 General Residential. It is 16.06 ha in size and has been cleared of vegetation as per this consent.

The site contains sloping land, including a steep gully and minor watercourse and is mapped as containing bushfire prone land.

This application is being reported to Council for determination as it seeks up to 7m of earth fill at the deepest point, significantly increasing the existing approved fill depth and seeking to exceed by more than 20% (250%) the 2m numerical control contained within Maitland Development Control Plan (DCP) 2011 - Section C.10 Subdivision. Following the granting of the original consent it was found that the approved layout and site levels precluded compliant roadworks from being delivered. This extent of fill is therefore required in order to make the site respond to the steep topography for both the creation of level dwelling sites (in a similar format to that which is already approved), and to facilitate compliant civil works being delivered by the developer and dedicated to Council (including road, culvert and roundabout).

The key issues are the extent of variation to the MDCP 2011 fill control and the provision of larger lots for re-subdivision into small lot housing in the future.

*The application has been assessed against Section 4.55(2) of the Environmental Planning and Assessment (EP&A) Act 1979 (refer to **Attachment 3** for the Assessment Report) and is considered to be satisfactory subject to the imposition of modified conditions of consent (Refer to **Attachment 4** for the schedule of modified conditions).*

OFFICER'S RECOMMENDATION

THAT

- 1. DA/2019/653:2 for a Section 4.55(2) Modification Application to Subdivision Layout, Lot Yield (Reduce to 138), Staging, Earthworks, Civil Works and Conditions at 119 McFarlanes Road, Chisholm is approved subject to the attached schedule of conditions in Attachment 4 of this report.**

COUNCIL RESOLUTION

THAT

- 1. DA/2019/653:2 for a Section 4.55(2) Modification Application to Subdivision Layout, Lot Yield (Reduce to 138), Staging, Earthworks, Civil Works and Conditions at 119 McFarlanes Road, Chisholm is approved subject to the attached schedule of conditions in Attachment 4 of this report.**

Moved Cr K Jordan, 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 11 for and 2 against, as follows:

For:

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:

Cr A Atkinson
Cr R Barstow

DRAFT

11.4 DA/2023/509 for Demolition, 3 into 325 Lot Torrens Title Residential Subdivision, 3 Public Reserve Lots, 1 Residue Lot and Staging with 8 Stages at 165 and 173 McFarlanes Road and Part of 507 Raymond Terrace Road, Chisholm

FILE NO: DA 2023/509

ATTACHMENTS:

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

RESPONSIBLE OFFICER: Director City Planning
Manager Development & Compliance

AUTHOR: Principal Planner

APPLICANT: Allam Land No.4 Pty Ltd c/o ADW Johnson

OWNER: Allam Land No.4 Pty Ltd and Jennifer May

PROPOSAL: Demolition, 3 into 325 Lot Torrens Title Residential Subdivision, 3 public reserve lots, 1 residue lot and staging with 8 stages

LOCATION: 165 McFarlanes Road, Chisholm (Lot 2 DP1253854)
173 McFarlanes Road, Chisholm (Lot 32 DP778111)
Part of 507 Raymond Terrace Road, Chisholm (Lot 31 DP778111)

ZONE: R1 General Residential
RU2 Rural Landscape

EXECUTIVE SUMMARY

*Development Application No. DA/2023/509 seeks development consent for demolition, three (3) into 325 Lot Torrens Title Residential Subdivision, three (3) public reserve lots, one (1) residue lot, delivered in eight (8) stages at 165 and 173 McFarlanes Road and part of 507 Raymond Terrace Road, Chisholm (refer to **Attachment 1** for the Locality Plan and **Attachment 2** for the Plans).*

The subject site is zoned R1 General Residential and RU2 Rural Landscape under the Maitland Local Environmental Plan (MLEP) 2011 and is located within the Thornton North

Urban Release Area (URA). The residential subdivision will occur within the R1 portion of the site.

The application was originally publicly notified/advertised for a period of 28 days from 10 July to 7 August 2023 in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and Council's Community Participation Plan (CPP). Two submissions were received.

The revised application was publicly notified/advertised for a period of 28 days from 18 October to 14 November 2024 in accordance with the Act and CPP. One submission was received.

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

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

A Satisfactory Arrangements Certificate (SAC) was issued for the revised residential subdivision by the Department of Planning, Housing and Infrastructure (DPHI) on 13 September 2024 stating that satisfactory arrangements have been made to contribute to the provision of designated State Infrastructure.

The application is being reported to Council due to the cost of works for the residential subdivision (\$27,258,391), submissions received (3 in total) and numerical non-compliance of the site filling control contained within DC.8 of the Maitland Development Control Plan (MDCP), which is being varied by more than 20%.

The application has been assessed against the relevant heads of consideration contained in section 4.15(1) of the Act (refer to **Attachment 3** for the Assessment Report) and considered to be satisfactory subject to the imposition of conditions of consent (refer to **Attachment 4** for the schedule of draft conditions), which includes a deferred commencement condition to ensure the unformed portion of private road that bisects the extension of Steamcruiser Drive is dedicated to Council as public road.

OFFICER'S RECOMMENDATION

THAT

1. DA/2023/509 for demolition, three (3) into 325 Lot Torrens Title Residential Subdivision, three (3) public reserve lots, one (1) residue lot, constructed in eight stages (8) at 165 and 173 McFarlanes Road and part of 507 Raymond Terrace Road, Chisholm, is approved as a deferred commencement subject to the recommended schedule of conditions contained in Attachment 4 of this report.

COUNCIL RESOLUTION**THAT**

1. DA/2023/509 for demolition, three (3) into 325 Lot Torrens Title Residential Subdivision, three (3) public reserve lots, one (1) residue lot, constructed in eight stages (8) at 165 and 173 McFarlanes Road and part of 507 Raymond Terrace Road, Chisholm, is approved as a deferred commencement subject to the recommended schedule of conditions contained in Attachment 4 of this report.

Moved Cr K Jordan, 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 9 for and 4 against, as follows:

For:

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

Against:

Cr A Atkinson
Cr R Barstow
Cr M Griffin
Cr B Whiting

11.5 DA/2023/842 for Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal at 283 & 303 Wollombi Road Farley

FILE NO:	DA/2023/842
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Locality Plan 2. Development Plans 3. Assessment Report (Under Separate Cover) 4. Recommended Reasons of Refusal 5. Submissions
RESPONSIBLE OFFICER:	Director City Planning Coordinator Planning & Development Principal Planner
AUTHOR:	Senior Development Planner
APPLICANT:	Vivacity Property Pty Ltd
OWNER:	Corinne Rachelle Hunter Graeme John Goodman and Suzanne Louise Goodman
PROPOSAL:	Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal
LOCATION:	283 & 303 Wollombi Road FARLEY NSW 2320
ZONE:	Part R1 General Residential and part RU2 Rural Landscape zoning

EXECUTIVE SUMMARY

*Development Application No. DA/2023/842 was lodged with Council on 23 October 2023 seeking development consent for a Manufactured Home Estate (MHE) and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal at 283 & 303 Wollombi Road Farley (Lot 1 DP 995219). The locality plan can be viewed at **Attachment 1** and the plans under **Attachment 2**.*

This matter is being reported to Council as the officer's recommendation is for refusal and the application received four (4) submissions of objection during the assessment process. Furthermore, in accordance with the 'Delegations of Authority' for the General Manager, Section 3(b)(iii), the estimated cost of works at \$28,796,442 exceeds \$5,000,000 and therefore requires Council determination.

The portion of the site to be developed is zoned R1 General Residential and RU2 Rural Landscape under the Maitland Local Environmental Plan (MLEP) 2011. Under the provisions

of Chapter 3 of the State Environmental Planning Policy (Housing) 2021, MHE's are permissible on any land on which development for the purposes of a caravan park may be carried out. Caravan parks, which include moveable dwellings, are permissible under the RU2 Rural Landscape zone of MLEP 2011.

207 manufactured home sites are proposed within the RU2 Rural Landscape portion of the site. The R1 General Residential portion of the site is to be developed as Multi-Dwelling Housing comprising 47 moveable dwellings. The development must comply with relevant provisions in SEPP (Housing) 2021 and under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 for development consent to be granted. The proposed development does not appear to satisfy the requirements for a MHE, as the dwellings do not meet the definition of a 'manufactured home' under the Regulation. The dwellings are slab-on-ground constructions that appear to be built on-site rather than transported to the site as required. This issue constitutes a key reason for refusal of the application. This is discussed in further detail in the Assessment Report under **Attachment 3**.

Throughout the assessment process, Council's position has remained consistent. Fundamental planning matters including compliance with the Rural Land Strategy (RLS), Local Housing Strategy (LHS), the zoning objectives of the RU2 Rural Landscape zone, and the relevant provisions of SEPP (Housing) 2021 have not been adequately addressed.

The RLS highlights key issues associated with past MHE developments on RU2 land, including unplanned growth, social isolation of vulnerable residents, demand for unanticipated infrastructure, adverse environmental impacts, and increased exposure to natural hazards. In response, Amendment No. 38 to the MLEP 2011 was gazetted on 28 March 2025 to prohibit caravan parks in RU2 zones which demonstrates Council's intent to prevent developments of this nature in rural areas, despite the savings provisions that apply to this application.

The LHS recognises MHE's as a medium-density form of housing best suited to urban locations with access to services and public transport, however, the subject site is predominantly RU2 and not identified for future urban expansion. The physical characteristics of the site, including steep grades and lack of pedestrian infrastructure, further undermine its suitability, especially for older residents or those without access to private vehicles. These locational and accessibility constraints are inconsistent with both SEPP (Housing) 2021 and Council's strategic planning principles.

Furthermore, the scale and built form of the development is incompatible with the rural character of the site and surrounding area, and conflict with the objectives of the RU2 zone under the MLEP 2011.

Despite multiple submissions of revised plans and supporting documentation, including the latest scheme provided in February 2025, the development fails to address Council's concerns. In particular, the proposed access arrangements do not comply with Council's Manual of Engineering Standards (MOES), as the current configuration encroaches on an approved intersection and fails to meet the required 40m separation between opposing centrelines. The inability to resolve safe and compliant access further supports Council's conclusion that the site is unsuitable for a development of this scale.

The application was placed on public exhibition for a period of 28 days from 6 November 2023 to 4 December 2023 in accordance with the Environmental Planning and Assessment Act (EP&A Act) 1979, Environmental Planning and Assessment Regulation (EP&A) 2021 and Maitland Development Control Plan (MDCP) 2011. During this time four (4) submissions of objection were received. The concerns raised by the objectors in respect to the proposed development include visual impacts and conflict with the character of surrounding rural lands, inconsistency with SEPP (Housing) 2021 and Council's policies and controls, vegetation removal, noise impacts, social impacts and access to essential services, topography of the site and roadway widths, control of stormwater and wastewater discharge from the site, traffic impacts, and no safe pedestrian or cycling paths within area to cater for increased population. The concerns raised by the objectors are discussed in further detail in the body of this report.

*An assessment of the application has been undertaken against Section 4.15(1) of the EP&A Act, 1979. The proposed development is considered not to be acceptable in terms of the relevant matters for consideration under the Act and accordingly, is recommended for refusal for the reasons contained in **Attachment 4**.*

OFFICER'S RECOMMENDATION

THAT

- 1. DA/2023/842 for Manufactured Home Estate and Multi-Dwelling Housing (254 Dwelling Sites), Community Facilities and Tree Removal at 283 & 303 Wollombi Road, Farley is refused for the reasons provided in Attachment 4 of this report.**

A motion was moved.

(Cr Hackney / Cr Halliday)

THAT Council defer the matter to the June 2025 Council Meeting to facilitate further provision of information from the applicant to Council.

COUNCIL RESOLUTION

THAT

- 1. Council defer the matter to the June 2025 Council Meeting to facilitate further provision of information from the applicant to Council**

Moved Cr B Hackney, Seconded Cr Halliday

CARRIED

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

The division resulted in 8 for and 5 against, as follows:

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

Cr M Griffin left the chambers at 7.52 PM

Cr M Griffin returned to the chambers at 7.53 PM

11.6 DA/2024/871 for Telecommunications Facility at 26 St Andrews Street, Maitland

FILE NO:	DA/2024/871
ATTACHMENTS:	<ol style="list-style-type: none">1. Locality Plan2. Development Plans3. Assessment Report (Under Separate Cover)4. Recommended Conditions of Consent (Under Separate Cover)5. Submissions (Under Separate Cover)6. Letter from Applicant
RESPONSIBLE OFFICER:	Director City Planning Manager Development & Compliance Coordinator Planning & Development
AUTHOR:	Development Planner
APPLICANT:	Indara Corporation Pty Ltd
OWNER:	Alpha Distribution Ministerial Holding Corporation
PROPOSAL:	Telecommunications Facility
LOCATION:	26 St Andrews Street MAITLAND
ZONE:	MU1 Mixed Use

EXECUTIVE SUMMARY

*This development application was previously reported to Council for determination at the Ordinary Meeting of Council on 15 April 2025. The matter was deferred for further discussion with the applicant regarding the selection of alternate locations. Further discussion in relation to the alternate locations is provided within this report. The applicant provided a written response to the deferral which can be viewed in **Attachment 6**.*

*A development application (DA/2024/871) has been received seeking consent for a Telecommunications Facility at 26 St Andrews Street, Maitland. The locality plan can be viewed at **Attachment 1**.*

The matter is reported to Council for determination as three (3) submission were received during the notification period. The application was notified from 31 October 2024 to 14 November 2024. The concerns raised by the objectors in respect to the proposed development include health impacts, visual impacts, heritage considerations and locality.

*Designed as a monopole with a recessive color to blend with the landscape, the proposal complies with electromagnetic energy (EME) exposure levels and is well within safety limits per ARPANSA standards, ensuring public and environmental safety. Development Plans can be viewed in **Attachment 2** of this report. The proposal is consistent with the requirements of all relevant sections of Maitland LEP 2011 and Maitland DCP 2011.*

*The proposed telecommunication tower is considered suitable for its context, with thorough consideration of environmental, visual, and safety impacts addressed within the Assessment report which can be viewed under **Attachment 3**.*

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

OFFICER'S RECOMMENDATION

THAT

1. **DA/2024/871 for Telecommunications Facility at 26 St Andrews Street, Maitland be approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

COUNCIL RESOLUTION

THAT

1. **DA/2024/871 for Telecommunications Facility at 26 St Andrews Street, Maitland be approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

Moved Cr M Griffin, 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 12 for and 1 against, as follows:

For:	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:	Cr A Atkinson
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11.7 DA 2024/1050 for Partial Demolition, Construction of Double Carport and One (1) into Two (2) Lot Torrens Title Subdivision at 41 Largs Avenue Largs (Lot: 211 DP 1068991)

FILE NO: 2024/1050

ATTACHMENTS:

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

RESPONSIBLE OFFICER: Director City Planning
Manager Development & Compliance
Coordinator Planning & Development

AUTHOR: Senior Development Planner

APPLICANT: Natalie Cowen (c/ HDB Town Planning)

OWNER: Jean-Michel Legrand

PROPOSAL: Partial Demolition and One (1) into Two (2) Lot Torrens Title Subdivision

LOCATION: 41 Largs Avenue LARGS (Lot: 211 DP 1068991)

ZONE: R1 – General Residential

EXECUTIVE SUMMARY

*A development application (DA/2024/1050) has been received seeking development consent for Partial Demolition, construction of a double carport and One (1) into Two (2) Lot Torrens Title Subdivision at 41 Largs Avenue, LARGS (Lot: 211 DP 1068991). The locality plan can be viewed at **Attachment 1**.*

The matter is reported to Council in accordance with the 'Delegations of Authority' for the General Manager, Section 3(b)(i), due to the development exceeding more than 20% numerical compliance with an applicable Development Control Plan namely Maitland Development Control Plan (MDCP) 2011. The 20% exceedance relates to driveway width requirements stipulated under Chapter C10 – Subdivision of the MDCP 2011.

*The development is located within a site suitably zoned for the proposal. The development is compatible with the existing character and lot yield of the broader surrounds. Plans are contained in **Attachment 2**. The proposal is consistent with the requirements of all relevant sections of Maitland Local Environment Plan (MLEP) 2011, and generally consistent with the MDCP 2011. Where compliance with the MDCP 2011 is not achieved, this has been reasonably justified, pursuant to the planner's assessment report contained in **Attachment 3**.*

The application has been assessed against the relevant heads of consideration under Section 4.15(1) in the Environmental Planning and Assessment Act (EP&A Act) 1979 and considered to be satisfactory subject to the imposition of conditions, contained in Attachment 4.

OFFICER'S RECOMMENDATION

THAT

1. **DA/2024/1050 for Partial Demolition, construction of a double carport and One (1) into Two (2) Lot Torrens Title Subdivision at 41 Largs Avenue, Largs is approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

COUNCIL RESOLUTION

THAT

1. **DA/2024/1050 for Partial Demolition, construction of a double carport and One (1) into Two (2) Lot Torrens Title Subdivision at 41 Largs Avenue, Largs is approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

Moved Cr S Halliday, Seconded Cr B Worth

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 Mobile Food in Public Places Policy

FILE NO:	139/97
ATTACHMENTS:	1. Mobile Food in Public Places Policy 2. Draft Mobile Food in Public Places Policy
RESPONSIBLE OFFICER:	Director City Services Manager Community & Recreation
AUTHOR:	Coordinator City Events & Activation Senior Place Activation Officer
MAITLAND +10	Outcome 1 To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1.4 Deliver vibrant and valued community events and programs

EXECUTIVE SUMMARY

The revised Mobile Food in Public Places Policy facilitates the operation of mobile food vending vehicles to activate public spaces. The policy provides guidance for the effective management of mobile food vending on public roads, sportsgrounds, and approved areas.

Key updates include revised street vending and cluster site (Street Eats) locations and updated references to current legislation.

These changes ensure the policy remains aligned with regulatory requirements while supporting local economic activity and encouraging community use of public spaces.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the revised Mobile Food in Public Places Policy (Attachment 2) to be placed on public exhibition for a period of 28 days.
2. Should there be no submissions of objection;
 - a. Council adopts the Mobile Food in Public Places Policy.
 - b. Council delegates any minor changes of the Policy to the General Manager. Any significant changes will result in a further report and recommendation to Council.

COUNCIL RESOLUTION**THAT**

1. Council endorses the revised Mobile Food in Public Places Policy (Attachment 2) to be placed on public exhibition for a period of 28 days.
2. Should there be no submissions of objection;
 - a. Council adopts the Mobile Food in Public Places Policy.
 - b. Council delegates any minor changes of the Policy to the General Manager. Any significant changes will result in a further report and recommendation to Council.

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:

Cr Mitchell Griffin left the meeting, the time being 8.16 PM

Cr Mitchell Griffin returned to the meeting, the time being 8.18 PM

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	

PROCEDURAL MOTION

Mayor Penfold moved a motion to that under Section 17.2 of the Code of Meeting Practice the meeting time be extended by 30 minute to allow the business of the Agenda to be completed.

(Mayor Penfold / Cr M Yarrington)

The motion was carried.

COUNCIL RESOLUTION

THAT under Section 17.2 of the Code of Meeting Practice the meeting time be extended by 30 minute to allow the business of the Agenda to be completed.

Moved Mayor 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:

DRAFT

12.2 Rescinding of City Services Policies

FILE NO:	35/1
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Activating Laneways Policy 2. Closure of Sporting Facilities Policy 3. Community Stalls at Council Events, Activations and Activities Policy 4. Compulsory Keep Watch Wristbands at Council Aquatic Facilities Policy 5. Events Policy 6. Maitland Regional Art Gallery Management Policy 7. Ministers Park Tree Planting Policy 8. Morpeth Bridge Lighting Policy 9. Provision of Works and Services to Outside Bodies Policy 10. Sponsorship Signage within Recreation Facilities Policy
RESPONSIBLE OFFICER:	Director City Services
AUTHOR:	Manager Community & Recreation Manager Works Gallery Director
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.4 Implement and maintain a contemporary governance, audit and risk framework

EXECUTIVE SUMMARY

Council staff have undertaken a detailed review of policies, During the review the following 10 policies were deemed to be no longer required due to changes in legislation, regulation and operating procedures being adopted which guide the organisations decision making and manages associated risks.

- *Activating Laneways*
- *Closure of Sporting Facilities*
- *Community Stalls at Council Events, Activations and Activities*
- *Compulsory Keep Watch Wristbands at Council's Aquatic Facilities*
- *Events*
- *Maitland Regional Art Gallery Management*
- *Ministers Park Tree Planting*
- *Morpeth Bridge Lighting*

- *Provision of Works and Services to Outside Bodies*
- *Sponsorship Signage within Recreation Facilities*

Rescinding these policies will ensure that Council does not have conflicting policy with relevant legislation, regulation or operating procedures.

OFFICER'S RECOMMENDATION

THAT

1. Council rescinds the following 10 policies

- **Activating Laneways**
- **Closure of Sporting Facilities**
- **Community Stalls at Council Events, Activations and Activities**
- **Compulsory Keep Watch Wristbands at Council's Aquatic Facilities**
- **Events**
- **Maitland Regional Art Gallery Management**
- **Ministers Park Tree Planting**
- **Morpeth Bridge Lighting**
- **Provision of Works and Services to Outside Bodies**
- **Sponsorship Signage within Recreation Facilities**

COUNCIL RESOLUTION**THAT****1. Council rescinds the following 10 policies**

- **Activating Laneways**
- **Closure of Sporting Facilities**
- **Community Stalls at Council Events, Activations and Activities**
- **Compulsory Keep Watch Wristbands at Council's Aquatic Facilities**
- **Events**
- **Maitland Regional Art Gallery Management**
- **Ministers Park Tree Planting**
- **Morpeth Bridge Lighting**
- **Provision of Works and Services to Outside Bodies**
- **Sponsorship Signage within Recreation Facilities**

Moved Cr S Halliday, 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:

12.3 Local Traffic Committee Meeting Minutes (April 2025)

FILE NO:	140/5
ATTACHMENTS:	<ol style="list-style-type: none">1. Local traffic Committee Meeting Minutes (April 2025) (Under Separate Cover)2. 16th Annual Maitland Running Festival
RESPONSIBLE OFFICER:	Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Traffic Management Officer Flood & Drainage Engineer
MAITLAND +10	Outcome 2 To easily get to where we want to go
COUNCIL OBJECTIVE:	2.2.2 Make our roads safer through the timely delivery of road maintenance and safety programs

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Traffic Committee meeting held Thursday 3 April 2025 are attached for information. At this meeting, temporary road closure applications were considered and endorsed for acceptance for one (1) event. Council resolution is required to implement the temporary road closures associated with the management of the event.

OFFICER'S RECOMMENDATION

THAT

1. The Local Traffic Committee meeting minutes of 3 April 2025 be noted.
2. Council approve the traffic management plans and road closures for the following events as recommended in the attached reports:
 - a. Maitland River Run 2025 – Event Traffic & Transport Management

COUNCIL RESOLUTION

THAT

1. The Local Traffic Committee meeting minutes of 3 April 2025 be noted.
2. Council approve the traffic management plans and road closures for the following events as recommended in the attached reports:
 - a. Maitland River Run 2025 – Event Traffic & Transport Management

Moved Cr W 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:

12.4 Temporary Suspension of Alcohol Free Zone

FILE NO:	139/57
ATTACHMENTS:	1. AFZ Suspension Map 2. Port Stephens Hunter Police District AFZ Response
RESPONSIBLE OFFICER:	Director City Services Manager Community & Recreation
AUTHOR:	Coordinator City Events & Activation
MAITLAND +10	Outcome 9 To show off our city
COUNCIL OBJECTIVE:	9.1.1 Deliver flagship events and place activation programs

EXECUTIVE SUMMARY

Council's City Events Team has submitted an application to temporarily suspend a section of the Alcohol Free Zone (AFZ) in Central Maitland for Luminous, which will be held on 20 & 21 June 2025. The purpose of this report is to inform Council of the AFZ suspension application and request approval for such.

OFFICER'S RECOMMENDATION

THAT

1. Council resolves to approve the temporary suspension of a section of the Alcohol Free Zone in Central Maitland for Luminous, on Friday 20 June and Saturday 21 June 2025.

COUNCIL RESOLUTION

THAT

1. Council resolves to approve the temporary suspension of a section of the Alcohol Free Zone in Central Maitland for Luminous, on Friday 20 June and Saturday 21 June 2025.

Moved Mayor P Penfold, Seconded Cr B Hackney

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:

DRAFT

13 Customer and Digital Services

Nil

DRAFT

14 People and Performance

14.1 Quarterly Progress Report – Q3 FY2024–25

FILE NO:	35/33/18/12
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Executive Manager People and Performance
AUTHOR:	Corporate Performance Lead Manager Corporate Planning and Performance
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.3.1 Monitor and report progress against the delivery of projects and services, as identified in the community Strategic Plan, Delivery Program and annual Operational Plan

EXECUTIVE SUMMARY

The Quarterly Progress Report to Council is a new initiative introduced in Q1 FY2024–25 to strengthen trust and support transparent decision-making. This report informs the Six-Monthly Progress Report to the community, providing a clear account of our progress.

This Quarter Three (Q3) progress report provides a snapshot of Council's 2022–2026 Delivery Program, outlining key projects, initiatives, and performance from January to March 2025. It details progress on our operational plan, performance metrics, and financial and capital status as of 31 March 2025. The report highlights service and infrastructure delivery, major achievements, and financial performance, ensuring transparency and accountability.

Additionally, a community report will be published every six months, summarising key achievements, challenges, and financial insights from the preceding half-year.

OFFICER'S RECOMMENDATION

THAT

- Council receives the quarter two Progress Report for the period January to March 2025 on progressing the Delivery Program 2022 – 2026**

COUNCIL RESOLUTION

THAT

- Council receives the quarter two Progress Report for the period January to March 2025 on progressing the Delivery Program 2022 – 2026**

Moved Cr S Halliday, 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:

DRAFT

15 Finance

15.1 Partial Road Closure and Sale of Land–Toll Bridge Lane, East Maitland.

FILE NO:	13683
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Toll Bridge House general location 2. Toll Bridge Lane– Survey plan
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Senior Property Advisor
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 owner of the historic Toll Bridge House has identified an issue with the road and their private land. In essence their property is bisected by Toll Bridge Lane, and they are seeking a partial road closure and purchase of land around the historic house.

OFFICER'S RECOMMENDATION

THAT

1. Council consent to the partial Road Closure of Toll Bridge Lane in the vicinity of 1 High Street, Maitland and its classification as Operational land.
2. All costs associated with the Partial Road Closure and purchase of land be borne by the landowner.
3. Council approves the sale of the Partial Road Closure land, being 218sqm, to the landowners of Toll Bridge House being Lot 1 DP 524847 at an amount of not less than the valuation of the land by an independent land valuation professional.
4. Council authorises the General Manager to sign all documents related to the Partial Road Closure and sale of the land.
5. The proceeds of the sale to be set aside in an asset replacement reserve for future strategic activity.

COUNCIL RESOLUTION**THAT**

- 1. Council consent to the partial Road Closure of Toll Bridge Lane in the vicinity of 1 High Street, Maitland and its classification as Operational land.**
- 2. All costs associated with the Partial Road Closure and purchase of land be borne by the landowner.**
- 3. Council approves the sale of the Partial Road Closure land, being 218sqm, to the landowners of Toll Bridge House being Lot 1 DP 524847 at an amount of not less than the valuation of the land by an independent land valuation professional.**
- 4. Council authorises the General Manager to sign all documents related to the Partial Road Closure and sale of the land.**
- 5. The proceeds of the sale to be set aside in an asset replacement reserve for future strategic activity.**

Moved Cr S Halliday, 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:

15.2 Local Government Area Boundary Adjustment-Loxford

FILE NO:	34066
ATTACHMENTS:	1. Loxford LGA adjustment plans 2. Office of Local Government advice
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Senior Property Advisor
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 developers of the land around Kurri Kurri Hydro redevelopment site have an issue with the Local Government boundaries between Cessnock and Maitland Councils and are seeking a practical solution. Cessnock Councils is in agreement with the proposal. The Office of Local Government has been consulted and has provided the below resolution.

OFFICER'S RECOMMENDATION

THAT

1. Council proceeds under section 218(E) of the Local Government Act 1993 with the proposal to effect a minor Local Government boundary adjustment, with the support of Cessnock City Council.
2. Council authorises making an application to the Minister and the Governor recommending that:
 - ☒ Part Lot 1, DP 1314431 (0.6ha) currently within the Maitland City Council to be incorporated by the boundary adjustment into the Cessnock City Council, and
 - ☒ Lot 1, DP 62332 (3.4ha) currently within the Cessnock City Council to be incorporated by the boundary adjustment into the Maitland City Council.
3. Council notes that the standard provision be included in the Proclamation:
Rates and charges
 - a. *Appropriate arrangements are to be made in relation to the payment of any outstanding rates and charges over the rateable land affected by this Proclamation.*

- b. The General Manager of Maitland City Council and the General Manager of Cessnock City Council are to reach a negotiated agreement on the nature of those arrangements.*
 - c. In the event that the General Managers of Maitland City Council and Cessnock City Council cannot come to a negotiated agreement on the matter of rates and charges, the Councils shall request that the Minister for Local Government make a determination on that matter.*
4. Council delegates authority to the General Manager to execute required documentation.

COUNCIL RESOLUTION

THAT

1. Council proceeds under section 218(E) of the Local Government Act 1993 with the proposal to effect a minor Local Government boundary adjustment, with the support of Cessnock City Council.
2. Council authorises making an application to the Minister and the Governor recommending that:
 - ☒ Part Lot 1, DP 1314431 (0.6ha) currently within the Maitland City Council to be incorporated by the boundary adjustment into the Cessnock City Council, and
 - ☒ Lot 1, DP 62332 (3.4ha) currently within the Cessnock City Council to be incorporated by the boundary adjustment into the Maitland City Council.
3. Council notes that the standard provision be included in the Proclamation:
Rates and charges
 - a. Appropriate arrangements are to be made in relation to the payment of any outstanding rates and charges over the rateable land affected by this Proclamation.*
 - b. The General Manager of Maitland City Council and the General Manager of Cessnock City Council are to reach a negotiated agreement on the nature of those arrangements.*
 - c. In the event that the General Managers of Maitland City Council and Cessnock City Council cannot come to a negotiated agreement on the matter of rates and charges, the Councils shall request that the Minister for Local Government make a determination on that matter.*

4. Council delegates authority to the General Manager to execute required documentation.

Moved Cr M Yarrington, Seconded Cr B Hackney

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:

15.3 Third Quarter Budget Review 2024/25 Period Ended 31 March 2025

FILE NO:	2
ATTACHMENTS:	1. Quarterly Budget Review Statement Mar 2025
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Manager Financial Reporting
MAITLAND +10	Outcome 15 To have an effective and efficient Council
COUNCIL OBJECTIVE:	15.1.2 Ensure Council is financially sustainable and meets required levels of performance

EXECUTIVE SUMMARY

The attached Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of each quarter. It is a mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan (original budget) and the last revised budget, along with recommended changes and reasons for major variances.

The third quarter review for 2024/25 reports an increase of \$0.1M in the operating result and a projected reduction in capital expenditure of \$14.1M.

The \$0.1M increased operating result (before capital) reflects a number of adjusting items. These include projected additional income from the finalisation of the 2022 flood grant programs offset by projected additional expenditure associated with these programs. In addition, savings have been identified in City Services operational expenditure and increased EPA levy costs associated with waste management have been included in the projected result.

The \$14.1M reduction in capital expenditure reflects a series of adjustments to reflect the planned delivery of works for 2024/25. A detailed review of capital expenditure for the remainder of 2024/25 has been undertaken and reported. The changes proposed are being used to inform the development of the 25/26 capital works program.

OFFICER'S RECOMMENDATION

THAT

1. The variations for the 31 March 2025 quarter be approved and form part of the Operational Plan for 2024/25.

COUNCIL RESOLUTION

THAT

1. The variations for the 31 March 2025 quarter be approved and form part of the Operational Plan for 2024/25.

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:

15.4 Statement of Investments as at 30 April 2025

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 30 April 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

EXECUTIVE SUMMARY

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

As at the end of April 2025, Council had investments totaling \$211,450,465 under management.

Council's investment portfolio recorded a marked-to-market return of 4.21% per annum versus the bank bill index benchmark return of 4.38% per annum. The actual investment return for the month of April was \$748,332, an unfavourable variance of \$173,469 when compared to the monthly budget forecasts of \$921,801.

The year-to-date budget forecast for investment returns is \$9,218,010. The actual investment returns for the year-to-date are \$9,550,126, amounting to a favourable variance of \$332,116.

The current quarterly budget review confirmed the full year forecast of \$11.9m remains achievable.

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 B Hackney

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

16.1 Conference Resolution for Illegal Vandalism of Graves, Monuments, Memorials and Statues

FILE NO:	35/48
ATTACHMENTS:	1. Resolutions from the 2024 Local Government NSW Annual Conference
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:	16.2.2 Facilitate opportunities for community leaders to connect and collaborate
Previous Items:	17.1 – Motion for 2024 LGNSW Conference – Ordinary Council – 13 Aug 2024 5:30 PM

EXECUTIVE SUMMARY

At Council Meeting 13 August 2024, Council resolved to submit a motion to the 2024 LGNSW Conference for LGNSW to advocate to the NSW Government for stronger minimum penalties and convictions for people who are found to illegally vandalise, damage or remove graves, monuments, memorials and statues. The purpose of this report is to submit the Governments response for the conference resolution.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

PROCEEDINGS IN BRIEF

A motion was moved.

(Cr M Griffin / Cr Yarrington)

THAT

1. The information contained in this Report be noted
2. Council write to the Attorney General and copy in the Shadow Attorney and LGNSW to request that the Government address the missing points of the motion carried at the LGNSW conference relating to non-war related graves, monuments and statues.
3. Council staff report back within 4 months on any reply they receive.
4. Council liaise with relevant community bodies to enable grant submission for Community War Memorial Fund (CWMF) for the conservation and security of war memorials Round closing June 2026.

The motion was carried.

COUNCIL RESOLUTION

THAT

1. the information contained in this Report be noted.
2. Council write to the Attorney General and copy in the Shadow Attorney and LGNSW to request that the Government address the missing points of the motion carried at the LGNSW conference relating to non-war related graves, monuments and statues.
3. Council staff report back within 4 months on any reply they receive.
4. Council liaise with relevant community bodies to enable grant submission for Community War Memorial Fund (CWMF) for the conservation and security of war memorials Round closing June 2026.

Moved Cr M Griffin, Seconded Cr M Yarrington

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:

17 Notices of Motion/Rescission

17.1 Writer's Festival

Notice of Motion Submitted by Cr Amelia Atkinson

FILE NO: 35/4/7
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Amelia Atkinson has indicated her intention to move the following Notice of Motion at the next Council Meeting being held on 20 May 2025:

THAT

Council:

1. ***Writes to relevant NSW Councils and organising Committees to explore opportunities for a formal partnership with Maitland City Council for a Cultural 2026 – 2027 Festival program, with the view of hosting satellite events or sessions in Maitland;***
2. ***Notes the successful partnership model between MCC and the Sydney Writers Festival as a Live and Local satellite event site, and requests a report be brought to Council outlining the potential benefits, costs, and community outcomes of other similar partnerships for Maitland;***
3. ***Investigates suitable venues, local partnerships (including schools, libraries, and arts organisations), and opportunities for community and cultural engagement as part of the proposed collaborations.***

Background

Maitland, with its vibrant creative community, strong literary culture, and well-established venues, is well-placed to host satellite events as part of opportunities with other much loved Festival programs delivered locally, within the state or even nationally. Partnership would enhance our cultural offering, support local writers and artists, and promote Maitland as a regional destination for ideas, dialogue, and storytelling.

The Sydney Writers Festival is a renowned literary event that brings together leading Australian and international writers and thinkers. It offers significant cultural, educational, and value to host communities. Maitland City Council's existing partnership as a Live and Local event host with the festival, has demonstrated how regional satellite events can contribute to community enrichment and local economic activity.

PLEASE NOTE: above would fall into a Cultural Policy action for Maitland and sit within the Pillars and Principles of the National Cultural Policy -

[https://www.arts.gov.au/publications/national-cultural-policy-revive-place-every-story-story-every-place\)NSW](https://www.arts.gov.au/publications/national-cultural-policy-revive-place-every-story-story-every-place)NSW) Creative Communities <https://www.nsw.gov.au/arts-and-culture/engage-nsw-arts-and-culture/resource-hub/creative-communities>)

Funding

There is opportunity for Council to apply for additional CREATE funding beyond the Gallery. Matching funds could also be requested for Performing Arts and Cultural Events (like Steamfest) - as long as creatives are involved. <https://www.nsw.gov.au/grants-and-funding/2-year-multi-year-funding> In terms of venues, either libraries or town hall, there could be opportunity to host activities. Council could also approach organisers to apply for an MCC grant (either cash through the Community Grants Program or venue in kind) to bring elements of the program to Maitland to fit into an existing program.

COUNCIL RESOLUTION

THAT

Council:

1. Writes to relevant NSW Councils and organising Committees to explore opportunities for a formal partnership with Maitland City Council for a Cultural 2026 - 2027 Festival program, with the view of hosting satellite events or sessions in Maitland;
2. Notes the successful partnership model between MCC and the Sydney Writers Festival as a Live and Local satellite event site, and requests a report be brought to Council outlining the potential benefits, costs, and community outcomes of other similar partnerships for Maitland;
3. Investigates suitable venues, local partnerships (including schools, libraries, and arts organisations), and opportunities for community and cultural engagement as part of the proposed collaborations.

Moved Cr A Atkinson, Seconded Cr D Ferris

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:

18 Questions with Notice

18.1 Customer Request and Complaint Handling Resolution

Submitted by Cr Race Barstow

FILE NO: 35/7/44

ATTACHMENTS: 1. Customer Requests and Complaint Statistics

RESPONSIBLE OFFICER: General Manager

Cr Race Barstow has asked the following Question With Notice for the Council Meeting being held on 20 May 2025:

Could council please provide, in table format, the following data for the past 12 months, noting where possible if the data includes complaints received via the online portal:

The average customer service call wait time

The average time taken to resolve customer service requests or complaints

The number of service requests or complaints that exceeded council's target resolution time, by category

The total number of complaints received, by category (e.g., waste, infrastructure, rates, etc.)

The percentage of complaints received via electronic means (e.g., online portal, email)

RESPONSE BY EXECUTIVE MANAGER

Response published in ordinary Meeting Agenda of Council Meeting 20 May 2025.

18.2 Historical Rates Data

Submitted by Cr Race Barstow

FILE NO: 35/7/44
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Race Barstow has asked the following Question With Notice for the Council Meeting being held on 20 May 2025:

Could council please provide, in table format, the following data for each financial year from 2020-21 to 2023-24:

The percentage of the IPART rate peg taken up

The percentage of total council income attributed to rates

The total amount of outstanding rates debt (past due) as at June 30

The total amount of outstanding rates debt (unpaid but within payment timeframes as per any agreed payment arrangements) as at June 30

The total amount of rates debt subsidised (e.g., pensioner concessions or hardship provisions)

RESPONSE BY EXECUTIVE MANAGER

Response published in ordinary Meeting Agenda of Council Meeting 20 May 2025.

18.3 Federal Election Advocacy

Submitted by Cr Mitchell Griffin

FILE NO: 35/7/44
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 20 May 2025:

Each election Maitland City Council issues an advocacy document to candidates outlining council's wish list for the LGA.

On May 1st the Newcastle Herald had reported it had received the election advocacy document from all Hunter councils with an exception of Maitland City Council.

Can council confirm if an election advocacy document had been produced for the 2025 Federal Election for Maitland City Council and distributed to candidates?

If so, what did this document contain?

If not, why was the document not produced?

RESPONSE BY EXECUTIVE MANAGER

Response published in ordinary Meeting Agenda of Council Meeting 20 May 2025.

19 Urgent Business

Mayor Penfold provided an update on the current weather and flood situation impacting the local area and greater region.

Council moved into Committee of the Whole at 8.54 pm.

Moved Cr Barstow, Seconded Cr Jordan

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	

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 8.54 pm.

Moved Cr Jordan , Seconded Cr Halliday

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	

20 Committee of the Whole

20.1 Sale and Dedication of Land– 110 Newcastle Road, East Maitland.

FILE NO:	38943, 38944 and 26434
ATTACHMENTS:	1. 110 Newcastle Road, East Maitland 2. Former business paper of Council
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Senior Property Advisor
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

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

EXECUTIVE SUMMARY

An historic resolution of the Council, relating to a land transfer/dedication, has not been completed. The landowner wishes to complete this matter as a priority given the time lapse. There has been a minor survey re-definition since the original Council resolution, hence the requirement to bring this matter back to Council and finalise through the below recommended resolution.

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:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

COUNCIL RESOLUTION**THAT**

1. Council confirms the transfer of 73.6sqm, being Lot 2 and Lot 3 DP1026121, to Norman Samuel Burton, trading as Maitland Toyota, in exchange for the dedication of 13.6sqm, being part of Lot 1 DP726294 to the public road.
2. Costs for the dedication and transfer of Lots 2 and 3 will be met by the landowner.
3. Council authorises the General Manager to sign any related documentation to effect these transactions.

Moved Cr B Whiting, 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:

20.2 Consideration of Tenders – 2024/137/2419 Maitland Aquatics Centre 50m Pool Remediation Project

FILE NO:	2024/137/2419
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Director City Services Manager Capital Works Delivery
AUTHOR:	Project Manager – Delivery Project Manager – Delivery
MAITLAND +10	Outcome 4 To be healthy and active with access to local services and facilities
COUNCIL OBJECTIVE:	4.3 Provide facilities that enable us to participate in recreational and sports activities, no matter our background, ability or age

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

EXECUTIVE SUMMARY

Maitland City Council's City Services Team has undertaken a competitive tender process to identify a suitably qualified and experienced contractor to execute the remediation works to the Maitland Aquatics Centre's 50m outdoor Olympic pool. The scope primarily encompasses and addresses the current level of leakage in the pool shell. This report provides details of the tender process and recommends that the General Manager be delegated authority to execute an agreement with a preferred supplier.

The tender process was initiated after detailed investigations were undertaken by a specialist consultant to determine the level of deterioration of the pool shell.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

COUNCIL RESOLUTION**THAT**

1. The information contained in this report is noted.
2. By resolution of the Council, enter negotiations for Tender No. 2024/137/2419 with FCS Concrete Repairs with a view to entering a contract in relation to the subject matter of the tender.
3. Following negotiation with FCS Concrete Repairs to receive an acceptable outcome, Council authorises the General Manager to award Tender No. 2024/137/2419 the construction contract to the value of the maximum Contractor construction budget as outlined within this report.

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:

20.3 Consideration of Tenders – 2024/137/2354 Cleaning Services for Council Facilities

FILE NO:	2024/137/2354
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Director City Services Manager Capital Works Delivery
AUTHOR:	Project Manager – Delivery Project Manager – Delivery
MAITLAND +10	Outcome 1 To stay friendly, happy and proud as our city grows
COUNCIL OBJECTIVE:	1.1 Make our neighbourhoods great with space, activities and programs that connect us

THAT Council move into Confidential Session to discuss this item under the terms of the Local Government Act 1993 Section 10A(2), as follows: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

EXECUTIVE SUMMARY

Maitland City Council's City Services Team has undertaken a two-stage competitive tender process to identify a suitably experienced Service Provider to provide scheduled cleaning services at a number of Maitland City Council's operations buildings, community buildings, toilet blocks and public barbeques.

The first stage of this process was to approach the open market via Tenderlink with an Expression of Interest (EOI) to establish a shortlist of interested and suitably experienced service providers to invite to a second stage. Nineteen (19) submissions were received and assessed by council officers. From this assessment seven (7) applicants of the EOI process were invited to submit a price via a competitive Tender process. All seven (7) applicants made tender submissions, these were assessed by a four-person tender evaluation panel in the presence of an external probity advisor. Following evaluation and consensus by the tender evaluation panel a single preferred supplier has been identified.

This report provides details of the tender assessment process and a recommendation to award a contract.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

COUNCIL RESOLUTION**THAT**

1. Council awards Tender No. 2024/137/2354 to Griffin Property Maintenance for the provision of cleaning services to Council facilities for the value of \$775,017.61 per annum (excl. GST and annual CPI adjustments) for a three (3) year contract plus the option for two (2) of one (1) year contract extensions, for a potential total contract period of five (5) years. The exercising of this option is entirely at Council's discretion.

Moved Cr R Barstow, Seconded Cr B Worth

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:

Council resumed into Ordinary Council at 8.57 pm.

Moved Cr Whiting, Seconded Cr Worth

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 Sale and Dedication of Land- 110 Newcastle Road, East Maitland.

THAT

1. Council confirms the transfer of 73.6sqm, being Lot 2 and Lot 3 DP1026121, to Norman Samuel Burton, trading as Maitland Toyota, in exchange for the dedication of 13.6sqm, being part of Lot 1 DP726294 to the public road.
2. Costs for the dedication and transfer of Lots 2 and 3 will be met by the landowner.
3. Council authorises the General Manager to sign any related documentation to effect these transactions.

20.2 Consideration of Tenders - 2024/137/2419 Maitland Aquatics Centre 50m Pool Remediation Project

THAT

1. The information contained in this report is noted.
2. By resolution of the Council, enter negotiations for Tender No. 2024/137/2419 with FCS Concrete Repairs with a view to entering a contract in relation to the subject matter of the tender.
3. Following negotiation with FCS Concrete Repairs to receive an acceptable outcome, Council authorises the General Manager to award Tender No. 2024/137/2419 the construction contract to the value of the maximum Contractor construction budget as outlined within this report.

PROCEDURAL MOTION

Mayor Penfold moved a motion to extend the Ordinary Council Meeting by 15 minutes.

The motion was carried.

COUNCIL RESOLUTION

THAT under Section 17.2 of the Code of Meeting Practice the meeting time be extended by 15 minute to allow the business of the Agenda to be completed.

Moved Cr P Penfold, Seconded Cr B Hackney

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:

20.3 Consideration of Tenders - 2024/137/2354 Cleaning Services for Council Facilities

THAT

1. Council awards Tender No. 2024/137/2354 to Griffin Property Maintenance for the provision of cleaning services to Council facilities for the value of \$775,017.61 per annum (excl. GST and annual CPI adjustments) for a three (3) year contract plus the option for two (2) of one (1) year contract extensions, for a potential total contract period of five (5) years. The exercising of this option is entirely at Council's discretion.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted

Moved Cr D Ferris, 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:

22 Closure

The meeting was declared closed at 9.03 pm.

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Chairperson