

Ordinary Meeting Minutes

19 August 2025

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Present

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

1 Invocation

Reverend Jenny Sumpton from River of Life Baptist Church read the customary prayer at the commencement of the meeting.

2 Acknowledgement of Country

The General Manager read the Acknowledgement of Country.

3 Apologies, Leave of Absence and Remote Attendance

Nil

4 Declarations of Interest

Cr M Griffin declared a significant non-pecuniary interest in Item 11.3 DA/2023/415 due to a family member owning an adjoining property.

Cr A Atkinson declared a significant non-pecuniary interest in Item 12.2 Year-Round Grants Program as a close friend is a recipient of a grant.

5 Confirmation of Minutes of Previous Meeting

COUNCIL RESOLUTION

THAT

The minutes of the Ordinary Meeting held 15 July 2025 be confirmed.

Moved Cr W Penfold, Seconded Cr S Halliday

CARRIED

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

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

6 Business Arising from Minutes

Nil

7 Withdrawal of Items and Acceptance of Late Items of Business

Withdrawal of Item 11.2 - Management of Feral and/or Infant Animals Policy Review be withdrawn as Policy documents were not included in the meeting papers.

COUNCIL RESOLUTION

THAT

Council accept the withdrawal of Item 11.2 - Management of Feral and/or Infant Animals Policy Review

Moved Cr D Ferris, Seconded Cr R Barstow

CARRIED

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

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

8 Public Access

Nathan Weir representing himself spoke AGAINST Item No 12.6 - Morpeth to Walka Shared Pathway - Identification of Proposed Route.

COUNCIL RESOLUTION

THAT an extension of one (1) minute be granted to Nathan Weir.

Moved Cr M Griffin, Seconded Cr M Hackney

CARRIED

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

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

9 Mayoral Minute

9.1 The Passing of Graham Dark OAM

FILE NO: 35/5/1
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager
AUTHOR: Mayor

MAYORAL MINUTE

BACKGROUND

Maitland City Council pays tribute to former Councillor, Mr Graham Dark OAM, who sadly passed away on Saturday 26th July 2025. A former Councillor and long-time Telarah resident, Graham was a passionate contributor to our community.

Graham's community involvement began in 1982 with the 3rd East Maitland Scout Group, where he served as a Cub Scout leader. He also became a member of the ALP's East Maitland branch, Lions (West Maitland), Senior Citizens, The Maitland Historical Society and was appointed a Justice of the Peace — roles that marked the beginning of a lifelong commitment to public service.

From 1999 to 2004, Graham served as a Councillor for Maitland City. In recognition of his extraordinary contributions, he was named Maitland's Citizen of the Year in 2005 and received the Order of Australia Medal in 2022, one of the country's highest civilian honours.

Graham also made a lasting impact as a dedicated educator, including teaching at Tenambit, Metford, Woodberry, and East Maitland Public Schools.

Much loved husband of Lyn. Loved father and father-in-law of Scott and Kerryann, and Melissa. Stepfather and father-in-law of Michelle (dec) and Darren Crimston, Scott and Courtney Everitt and foster dad of Rebecca. Adored grandfather and great-grandfather of many.

Council extends our sincere condolences to Graham's family, friends, and all who were touched by his remarkable life.

COUNCIL RESOLUTION

THAT

Council acknowledges the significant community service contribution made by the late Graham Dark OAM to the City of Maitland.

Moved Mayor P Penfold, Seconded Cr B Whiting

CARRIED

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

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

10 Office of the General Manager

10.1 Adoption of Code of Conduct and Procedures

FILE NO:	35/7/4
ATTACHMENTS:	<ol style="list-style-type: none">1. Code of Conduct 2022 (Under Separate Cover)2. Code of Conduct for Councillors (Under Separate Cover)3. Code of Conduct for Staff (Under Separate Cover)4. Council Committee Members, Delegates of Council and Council Advisers Code of Conduct (Under Separate Cover)5. Procedures for the Administration of the Code of Conduct (Under Separate Cover)
RESPONSIBLE OFFICER:	Office Manager General Manager
AUTHOR:	Team Leader OGM
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

A council must, within 12 month after each ordinary election, review its adopted Code of Conduct and make such adjustments as it considers appropriate. The Code of Conduct is required to incorporate the provisions of the Office of Local Government's Model Code of Conduct.

The Office of Local Government has model codes that can be separated for Councillors, Council Staff and Committee Members, Delegates of Council and Council Advisers. Council's current Code of Conduct that was adopted on 12 July 2022, is a single document encompassing all Councillors, administrators, members of staff of council, delegates of council, (including members of council committees) however it is proposed that the Code of Conduct be separated into three distinct documents as per the models.

OFFICER'S RECOMMENDATION

THAT

1. Council rescinds the Code of Conduct 2022 (Attachment 1)
2. Council adopts the Code of Conduct for Councillors (Attachment 2)
3. Council adopts the Code of Conduct for Staff (Attachment 3)
4. Council adopts the Code of Conduct for Council Committee Member, Delegates of Council and Council Advisers (Attachment 4)
5. Council adopts the Procedures for the Administration of the Code of Conduct 2025 (Attachment 5).

Cr Ken Jordan left the meeting, the time being 5.46 PM

COUNCIL RESOLUTION

THAT

1. Council rescinds the Code of Conduct 2022 (Attachment 1)
2. Council adopts the Code of Conduct for Councillors (Attachment 2)
3. Council adopts the Code of Conduct for Staff (Attachment 3)
4. Council adopts the Code of Conduct for Council Committee Member, Delegates of Council and Council Advisers (Attachment 4)
5. Council adopts the Procedures for the Administration of the Code of Conduct 2025 (Attachment 5).

Moved Cr B Worth, Seconded Cr K Flannery

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 B Hackney	
	Cr S Halliday	
	Mayor P Penfold	
	Cr W Penfold	
	Cr B Whiting	
	Cr B Worth	
	Cr M Yarrington	

Cr Ken Jordan returned to the meeting, the time being 5.48 PM

10.2 Local Government NSW Annual Conference 2025

FILE NO:	35/48
ATTACHMENTS:	1. LGNSW Conference – Draft Program 2. Motion Submission Guide – 2025 (Under Separate Cover)
RESPONSIBLE OFFICER:	General Manager Office Manager
AUTHOR:	Executive Assistant
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.2.1 Excellence in leadership

EXECUTIVE SUMMARY

The Local Government NSW (LGNSW) Annual Conference will be held from Sunday 23 to Tuesday 25 November 2025 at Panthers Penrith and Western Sydney Conference Centre. The Annual Conference is the supreme policy-making body of LGNSW and an opportunity for councillors to come together to share ideas and debate issues that shape the way LGNSW is governed and advocates on behalf of the local government sector.

This report is presented to Council to determine voting delegates of Council for the purpose of voting on motions presented to the conference.

OFFICER'S RECOMMENDATION

THAT

1. Council nominate up to four (4) attending Councillors as voting delegates on motions and Board election at the Local Government NSW Annual Conference;
2. The names of Council's voting delegates be forwarded to LGNSW by Friday 7 November 2025;
3. Council note that the closing date of submissions of motions to LGNSW is 30 September 2025, therefore the last opportunity for Council to consider conference motions is the September 2025 Council Meeting.

PROCEEDINGS IN BRIEF

A motion was moved.

(Cr M Griffin / Cr B Hackney)

THAT

1. Council nominate Councillors Hackney, Halliday, Griffin and Warrick Penfold as voting delegates on motions and Board election at the 2025 Local Government NSW Annual Conference.
2. The names of Council's voting delegates be forwarded to LGNSW by Friday 7 November 2025;

An amendment was moved.

(Cr B Whiting / Cr D Ferris)

THAT

1. Council nominate Councillors Hackney, Halliday, Griffin and Atkinson as voting delegates on motions and Board election at the 2025 Local Government NSW Annual Conference.
2. The names of Council's voting delegates be forwarded to LGNSW by Friday 7 November 2025;

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

The motion as moved by Cr M Griffin was then put to the meeting and declared carried.

COUNCIL RESOLUTION

THAT

1. Council nominate Councillors Hackney, Halliday, Griffin and Warrick Penfold as voting delegates on motions and Board election at the 2025 Local Government NSW Annual Conference.
2. The names of Council's voting delegates be forwarded to LGNSW by Friday 7 November 2025;

Moved Cr M Griffin, Seconded Cr B Hackney

CARRIED

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

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

11 City Planning

11.1 Waste Services Plant Procurement

FILE NO:	61/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Director City Planning Manager Environment & Sustainability
AUTHOR:	Operations Manager Waste Services
MAITLAND +10	Outcome 2 Sustainable Maitland
COUNCIL OBJECTIVE:	2.2.1 Sustainable leadership

EXECUTIVE SUMMARY

This report requests approval to commence procurement activities for a number of items of plant to ensure efficient delivery of Council's Waste Service. The request includes a mix of new plant items and replacement of existing items of plant.

Due to plant delivery timeframes approval is requested to commence procurement in 2025/26 for several items of plant that will be funded in 2026/27. These will be included in the fleet program as part of the 26/27 capital investment program.

OFFICER'S RECOMMENDATION

THAT

1. Council approves procurement of the following items of plant, to allow for extended procurement and plant delivery timeframes:
 - a. 4WD ute
 - b. Medium-sized (approx. 15m³) hard body rear-loader collection vehicle
 - c. Material handler (approx. 22 tonne)
 - d. Pantech truck
 - e. 2 small tippers (4.5 GVM)
 2. Council approves additional funding of \$35,000 for purchase of plant in 2025/26 capital expenditure program from the Domestic Waste Reserve
 3. Council approves the inclusion of \$1.2 million for waste plant, and respective funding sources as outlined in this report, within the planned 2026/27 capital expenditure budget
-

COUNCIL RESOLUTION**THAT**

1. Council approves procurement of the following items of plant, to allow for extended procurement and plant delivery timeframes:
 - a. 4WD ute
 - b. Medium-sized (approx. 15m³) hard body rear-loader collection vehicle
 - c. Material handler (approx. 22 tonne)
 - d. Pantech truck
 - e. 2 small tippers (4.5 GVM)
2. Council approves additional funding of \$35,000 for purchase of plant in 2025/26 capital expenditure program from the Domestic Waste Reserve
3. Council approves the inclusion of \$1.2 million for waste plant, and respective funding sources as outlined in this report, within the planned 2026/27 capital expenditure budget

Moved Cr W Penfold, Seconded Cr B Worth

CARRIED

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

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

11.2 Management of Feral and/or Infant Animals Policy Review

FILE NO:	106/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Director City Planning Manager Environment & Sustainability Team Leader Compliance
AUTHOR:	Team Leader Ranger Services
MAITLAND +10	Outcome 2 Sustainable Maitland
COUNCIL OBJECTIVE:	2.1.2 Natural spaces

EXECUTIVE SUMMARY

This report has been prepared to provide for the review of Council's Management of Feral and/or Infant Animals Policy in accordance with amendments to the Companion Animals Act 1998. This policy identifies the criteria for when/how an animal is assessed to be feral and/or infant and the applicable actions to be taken by Maitland City Council.

The review does not change the intention of the policy as adopted in February 2020 and primarily provides for updates due to amendments to the Companion Animals Act.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the revised Management of Feral and/or Infant Animals Policy to be placed on public exhibition for a period of twenty-eight (28) days.
2. Should there be no submissions of objection:
 - a. Council adopts the draft revised Management of Feral and/or Infant Animals 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.

WITHDRAWN

Cr Mitchell Griffin left the meeting, the time being 5.52 PM

11.3 DA/2023/415 for Demolition, 8 into 258 Lot Torrens Title Subdivision including 2 Public Reserves, 1 Drainage Reserve, Road Widening and Associated Infrastructure Over 14 Stages at 2 & 20A Cantwell Road, 25, 39 & 55 Wyndella Road Lochinvar

FILE NO: DA/2023/415

ATTACHMENTS:

1. Site Plan
2. Plans
3. Assessment Report (Under Separate Cover)
4. Submission (Under Separate Cover)
5. Conditions (Under Separate Cover)

RESPONSIBLE OFFICER: Acting Director City Planning
Coordinator Planning & Development
Principal Planner

AUTHOR: Senior Development Planner

APPLICANT: Lochinvar Developments Pty Ltd

OWNER: Lochinvar Land Pty Limited

PROPOSAL: Demolition, 8 into 258 Lot Torrens Title Subdivision including 2 public reserves, 1 drainage reserve, road widening and associated infrastructure over 14 stages.

LOCATION: 2 & 20A Cantwell Road, 25, 39 & 55 Wyndella Road Lochinvar

ZONE: R1 General Residential

EXECUTIVE SUMMARY

*Development Application No. DA/2023/415 seeks development consent for demolition, a 258 Lot Torrens Title Residential Subdivision across 14 stages, including the dedication of two public reserves, one drainage reserve, road widening, and associated civil infrastructure at 2 Cantwell Road, 25, 39 & 55 Wyndella Road, Lochinvar (refer to **Attachment 1** for the Locality Plan and **Attachment 2** for the Plans).*

The subject site is zoned R1 General Residential under the Maitland Local Environmental Plan (MLEP) 2011 and is located within the Lochinvar Urban Release Area (URA).

The application was originally publicly notified/advertised for a period of 28 days from 15 June 2023 to 12 July 2023 in accordance with the Environmental Planning and Assessment Act 1979 (the Act) and Council's Community Participation Plan (CPP). 4 submissions were received. The submissions raised concerns regarding existing flooding over Wyndella Road and adjoining sites, increased traffic and impacts on access from the New England Highway, adequacy of stormwater infrastructure, integration with adjoining properties, and the extent of road widening works required. These issues have been considered in detail

within the assessment report provided in **Attachment 3** and addressed through revised documentation and technical referrals. A redacted version of the submissions is provided in **Attachment 4**.

During the assessment of the application, the proposal was placed on hold pending resolution of key issues relating to traffic and intersection performance, compliance with the URA masterplan, bushfire protection, flood modelling, stormwater and drainage design, road geometry and earthworks, biodiversity and riparian corridor management, acoustic attenuation from the New England Highway, and the arrangement of a Voluntary Planning Agreement (VPA) to satisfy the requirements of Clause 6.1 of the MLEP 2011. These matters have now been resolved through the submission of revised plans and supporting documentation and are considered to be adequately addressed. A detailed assessment of these matters is provided in **Attachment 3** for the Assessment Report.

The revised application was publicly notified/advertised for a period of 28 days from 14 August to 10 September 2024 in accordance with the Act and CPP. No submissions were received.

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

The proposed works are located within 40 metres of a first and second order 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).

The application also triggered Integrated Development referral under the Fisheries Management Act 1994 due to proposed works within a classified watercourse. General Terms of Approval (GTAs) were issued by the Department of Primary Industries (DPI) requiring a permit for a Controlled Activity Approval under the Water Management Act 2000. Works must comply with best practice erosion and sediment control measures. These requirements have been incorporated into the conditions of consent to manage potential impacts to aquatic habitat and riparian vegetation.

Referral was also required under the National Parks and Wildlife Act 1974, with General Terms of Approval (GTA's) issued by the Department of Climate Change, Energy, the Environment and Water (DCCEEW). These GTAs require an Aboriginal Heritage Impact Permit (AHIP) and associated management measures, which have been reflected in the recommended conditions of consent.

A Satisfactory Arrangements Certificate (SAC) was issued for the revised residential subdivision by the Department of Planning, Housing and Infrastructure (DPHI) on 16 July 2025 stating that satisfactory arrangements have been made to contribute to the provision of designated State Infrastructure.

The application is being reported to Council for determination as it exceeds Council Officer delegations, due to the estimated cost of works (\$26,059,954.00).

*The proposed subdivision is consistent with the Lochinvar URA DCP, meets the requirements of the relevant environmental planning instruments, and reflects the strategic intent for the area. The application has been assessed against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and is considered to be satisfactory subject to the imposition of conditions of consent as provided in **Attachment 5** for the schedule of draft conditions.*

OFFICER'S RECOMMENDATION

THAT

- 1. Development consent be granted to DA/2023/415 for demolition, a 258 lot Torrens Title subdivision, including two public reserves, one drainage reserve, road widening, and associated infrastructure over 14 stages at 2 & 20A Cantwell Road, Lochinvar, 25, 39 Wyndella Road & 55 Wyndella Road, Lochinvar, subject to the recommended conditions of consent contained in Attachment 5.**

COUNCIL RESOLUTION

THAT

- 1. Development consent be granted to DA/2023/415 for demolition, a 258 lot Torrens Title subdivision, including two public reserves, one drainage reserve, road widening, and associated infrastructure over 14 stages at 2 & 20A Cantwell Road, Lochinvar, 25, 39 Wyndella Road & 55 Wyndella Road, Lochinvar, subject to the recommended conditions of consent contained in Attachment 5.**

Moved Cr M Yarrington, 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 0 against, as follows:

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

Cr Mitchell Griffin returned to the meeting, the time being 6.01 PM

12 City Services

12.1 Graffiti Management Policy Review

FILE NO:	35/1
ATTACHMENTS:	<ol style="list-style-type: none">1. Graffiti Management Plan 2015 (Under Separate Cover)2. Draft Graffiti Management Policy 2025
RESPONSIBLE OFFICER:	Acting Director City Services
AUTHOR:	Manager Works
MAITLAND +10	Outcome 3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.2.3 City presentation

EXECUTIVE SUMMARY

The Graffiti Management Policy is intended to provide a framework and guidelines for the prevention, management, and removal of graffiti within the Maitland Local Government Area (LGA).

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the Draft Graffiti Management 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 Graffiti Management 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 Draft Graffiti Management 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 Graffiti Management 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 Mayor P Penfold, Seconded Cr K Jordan

CARRIED

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

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

Cr Amelia Atkinson left the meeting, the time being 6.10 PM

12.2 Year-Round Grants Program Round One 2025/2026

FILE NO:	10/5/27
ATTACHMENTS:	1. 2024-25 Community Grants Program Annual Summary
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Asset Management Coordinator Community & Recreation Planning Community Development & Programs Officer
MAITLAND +10	Outcome 3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.3.1 Growth opportunities

EXECUTIVE SUMMARY

Council's Year-Round Community Grants Program aims to provide financial support to residents living in the Local Government Area (LGA) who are aspiring to achieve excellence at the highest levels in their chosen sport OR are seeking professional development or small project opportunities in the field of creative arts.

This report presents to Council a recommendation to endorse the funding of five (5) applications under Council's Year-Round Community Grants Program Round One (1) 2025/2026.

OFFICER'S RECOMMENDATION

THAT

1. Council approves the allocation of funds for Round One (1) of the Year-Round Community Grants Program 2025/2026, as recommended in this report for applications numbered one (1) to five (5) in accordance with Section 356 of the Local Government Act, 1993.
2. Council formally thanks all nine (9) applicants for their submissions and advises them of Council's decision.
3. Council notes that Megan Williams, previously endorsed to fill the vacancy on the Community Grants Assessment Panel is now unable to do so and as such Council endorse the appointment of Robert Kerr to the Community Grants Assessment Panel.

COUNCIL RESOLUTION**THAT**

1. Council approves the allocation of funds for Round One (1) of the Year-Round Community Grants Program 2025/2026, as recommended in this report for applications numbered one (1) to five (5) in accordance with Section 356 of the Local Government Act, 1993.
2. Council formally thanks all nine (9) applicants for their submissions and advises them of Council's decision.
3. Council notes that Megan Williams, previously endorsed to fill the vacancy on the Community Grants Assessment Panel is now unable to do so and as such Council endorse the appointment of Robert Kerr to the Community Grants Assessment Panel.

Moved Cr K Jordan, Seconded Cr R Barstow

CARRIED

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

For:	Cr R Barstow	Against:
	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	

Cr Amelia Atkinson returned to the meeting, the time being 6.15 PM

12.3 Local Traffic Committee Meeting Minutes (July 2025)

FILE NO:	140/5
ATTACHMENTS:	<ol style="list-style-type: none">1. Local Traffic Committee Meeting Minutes July 2025 with attachments (Under Separate Cover)2. July Agenda Item 5.1 Hunter Valley Outdoor Show 2025 – Event Traffic & Transport Management
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Traffic Management Officer Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 1 Liveable Maitland
COUNCIL OBJECTIVE:	1.2.1 Efficient and sustainable movement

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Traffic Committee meeting held on Thursday 3 July 2025 are attached for information. At this meeting, temporary road closure applications were considered and endorsed for acceptance for one (1) event. Due to the date the application was received by Council and the dates of the corresponding Local Traffic Committee and Council Meeting, this temporary road closure in relation to the Hunter Valley Outdoor Show has been approved by the Mayor under Section 226(d.) of the Local Government Act 1993.

OFFICER'S RECOMMENDATION

THAT

1. The Local Traffic Committee meeting minutes of 3 July 2025 be noted.
2. The traffic management plans and road closures for the following events as recommended in the attached reports be noted:
 - a. Hunter Valley Outdoor Show 2025 – 8–10 August 2025 – Event Traffic & Transport Management

COUNCIL RESOLUTION

THAT

1. The Local Traffic Committee meeting minutes of 3 July 2025 be noted.
2. The traffic management plans and road closures for the following events as recommended in the attached reports be noted:
 - a. Hunter Valley Outdoor Show 2025 – 8–10 August 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	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	

12.4 Priority Weeds Management Policy Review

FILE NO:	99/3/3
ATTACHMENTS:	1. Priority Weeds Management Policy 2022 2. Draft Priority Weeds Management Policy 2025
RESPONSIBLE OFFICER:	Acting Director City Services
AUTHOR:	Manager Works
MAITLAND +10	Outcome 2 Sustainable Maitland
COUNCIL OBJECTIVE:	2.1.2 Natural spaces

EXECUTIVE SUMMARY

Council's Priority Weeds Management Policy, last adopted 27 September 2022, has been reviewed in consultation with key Council staff, related Council policies and procedures, and best practice approaches.

The revised Priority Weeds Management Policy will ensure that Council effectively complies with, administers and enforces the Biosecurity Act 2015 relating to priority weed management. The Priority Weeds Management Policy also ensures that there are clear guidelines for the management of priority weeds on all Council owned and managed land.

OFFICER'S RECOMMENDATION

THAT

1. Council endorses the Draft Priority Weeds Management 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 Priority Weeds management 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 Draft Priority Weeds Management 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 Priority Weeds management 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 D Ferris, Seconded Cr S Halliday

CARRIED

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

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

12.5 Thornton Road Network – Thornton Road Design Development

FILE NO:	222/865
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 1 Liveable Maitland
COUNCIL OBJECTIVE:	1.2.3 Safe and efficient road networks

EXECUTIVE SUMMARY

The purpose of this report is to establish the funding mechanism and timing to start the delivery of critical Thornton Road network infrastructure works to allow for the connectivity from the New England Highway to the Thornton Rail Bridge.

It is proposed that available developer contributions within the Thornton North Infrastructure Contributions Plan 2008 (Amended 2025) be used to progress tasks associated with the design and land acquisition of the infrastructure works.

OFFICER'S RECOMMENDATION

THAT

1. A total of \$10,859,939 from the Thornton North Infrastructure Contributions Plan 2008 (Amended 2025) identified for upgrades and intersections on Thornton Road (TN41, TN52 and TN53) be used to progress tasks associated with delivery of these works.

COUNCIL RESOLUTION

THAT

1. A total of \$10,859,939 from the Thornton North Infrastructure Contributions Plan 2008 (Amended 2025) identified for upgrades and intersections on Thornton Road (TN41, TN52 and TN53) be used to progress tasks associated with delivery of these works.

Moved Cr M Griffin, Seconded Cr K Flannery

CARRIED

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

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

12.6 Morpeth to Walka Shared Pathway – Identification of Proposed Route

FILE NO:	103/20
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Morpeth to Walka Shared Pathway Proposed Route 2. Item 13.2 23 January 2024 Agenda 3. Item 13.2 23 January 2024 Minutes
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Transport & Infrastructure Engineering
MAITLAND +10	Outcome 1 Liveable Maitland
COUNCIL OBJECTIVE:	1.2.2 Connected active transport
Previous Items:	13.2 – Route Options for a Shared Pathway from Belmore Bridge to Walka Water Works – Ordinary Council – 23 Jan 2024 5:30 PM

EXECUTIVE SUMMARY

The purpose of this report is to place the proposed route for the Morpeth to Walka Shared Pathway on Public Exhibition for community consultation. A number of potential route alignment options were developed and a multi-criteria assessment was undertaken. This resulted in an assessment of potential pathway options being refined into a single proposed route for the Morpeth to Walka (and Rutherford) Shared Pathway.

OFFICER'S RECOMMENDATION

THAT

1. Following previous community feedback, Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be used for the purposes of undertaking further community consultation and public exhibition.
2. Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be exhibited for a minimum period of 28 days.
3. Council officers recommend a further report be submitted to Council following public exhibition of the Morpeth to Walka (and Rutherford) proposed route, including a Response to Submissions Report.
4. Council officers recommend that the previous resolution for the Council meeting dated 23 January 2024 agenda item 13.2 – Route Options for a Shared Pathway from Belmore Bridge to Walka Water Works (Attachment 2 and 3), be rescinded.

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr P Penfold / Cr M Griffin)

THAT

1. Following previous community feedback, Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be used for the purposes of undertaking further community consultation and public exhibition.
2. Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be exhibited for a minimum period of 42 days.
3. Council officers recommend a further report be submitted to Council following public exhibition of the Morpeth to Walka (and Rutherford) proposed route, including a Response to Submissions Report.
4. Council officers recommend that the previous resolution for the Council meeting dated 23 January 2024 agenda item 13.2 – Route Options for a Shared Pathway from Belmore Bridge to Walka Water Works (Attachment 2 and 3), be rescinded.

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

THAT

1. **Following previous community feedback, Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be used for the purposes of undertaking further community consultation and public exhibition.**
2. **Council officers recommend that the proposed route alignment for the Morpeth to Walka (and Rutherford) shared pathway (Attachment 1) be exhibited for a minimum period of 42 days.**
3. **Council officers recommend a further report be submitted to Council following public exhibition of the Morpeth to Walka (and Rutherford) proposed route, including a Response to Submissions Report.**
4. **Council officers recommend that the previous resolution for the Council meeting dated 23 January 2024 agenda item 13.2 – Route Options for a Shared Pathway from Belmore Bridge to Walka Water Works (Attachment 2 and 3), be rescinded.**

Moved Mayor P Penfold, Seconded Cr M Griffin

CARRIED

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

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

12.7 Addressing the Infrastructure Backlog

FILE NO:	35/7/4
ATTACHMENTS:	<ol style="list-style-type: none">1. Notice of Motion – Addressing the Infrastructure Backlog – 15-4-252. Asset Class Portfolio Overview3. Special Schedule 2 and backlog calculations4. Backlog breakdown Roads and Building Assets5. Capital Expenditures6. Strategic Context and Development
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Asset Management Senior Asset Management Planner
MAITLAND'S FUTURE	1 Liveable Maitland
COUNCIL OBJECTIVE:	1.1.2 Connected living
Previous Items:	17.3 – Addressing the Infrastructure Backlog – Ordinary Council – 15 Apr 2025 5:30 PM

EXECUTIVE SUMMARY

Council unanimously resolved at the meeting of 15 April 2025 a Notice of Motion that Council address the infrastructure backlog as a priority and that staff should undertake appropriate investigations, community engagement and prepare a 4-year program to achieve this. This report outlines the significance of the backlog and Council's proposed approach to progress this Notice of Motion.

OFFICER'S RECOMMENDATION

THAT

1. Council notes the contents of this report and the data in respect to the asset portfolio current state.
2. A further report be provided to update Council on status of progress of the "Backlog Delivery Program" no later than December 2025.
3. The December 2025 report addresses the key actions that will be undertaken to enable increased allocation of planned rate revenue income to help address the current asset renewal funding shortfall.

COUNCIL RESOLUTION**THAT**

1. Council notes the contents of this report and the data in respect to the asset portfolio current state.
2. A further report be provided to update Council on status of progress of the “Backlog Delivery Program” no later than December 2025.
3. The December 2025 report addresses the key actions that will be undertaken to enable increased allocation of planned rate revenue income to help address the current asset renewal funding shortfall.

Moved Cr K Jordan, Seconded Cr S Halliday

CARRIED

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

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

13 Customer and Digital Services

Nil

14 People and Performance

14.1 Exhibition of the Partnerships and Advocacy Strategy 2025–2026

FILE NO:	35/33/21/4
ATTACHMENTS:	1. Draft Partnerships and Advocacy Strategy 2025–2026
RESPONSIBLE OFFICER:	Acting Executive Manager People and Performance
AUTHOR:	Manager Corporate Strategy and Communications Corporate Grants Lead
MAITLAND +10	Outcome 3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.3.2 Advocacy and partnerships

EXECUTIVE SUMMARY

The Partnerships and Advocacy Strategy 2025-2026 has been developed to identify how we can work with others to deliver on our shared vision for Maitland's Future.

OFFICER'S RECOMMENDATION

THAT

- 1. Council endorses the public exhibition of the Partnerships and Advocacy Strategy 2025–2026.**

PROCEEDINGS IN BRIEF

A motion was moved being the officers recommendation.
(Mayor P Penfold / Cr B Hackney)

An amendment was moved.
(Cr D Ferris / Cr A Atkinson)

THAT

Add Greta to Rutherford shared pathway to the Partnerships and Advocacy Strategy 2025-2026.

The amendment when put to the meeting was declared lost.

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

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

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

COUNCIL RESOLUTION

THAT

- 1. Council endorses the public exhibition of the Partnerships and Advocacy Strategy 2025–2026.**

Moved Mayor P Penfold, Seconded Cr B Hackney

CARRIED

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

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

14.2 Six Monthly Progress Report – January to July 2025

FILE NO:	35/33/18/12
ATTACHMENTS:	1. Six Monthly Progress Report Jan–Jun 2025
RESPONSIBLE OFFICER:	Acting Executive Manager People and Performance Manager Corporate Strategy and Communications
AUTHOR:	Corporate Strategy Lead Corporate Planning & Reporting Officer
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

Our Six Monthly Progress Report has been revised to strengthen trust and support clear and open communication. We want to ensure our community stays up to date on the things that matter most to them.

Our Six Monthly Progress Report offers a summary of the projects and initiatives within Council's Operational Plan 2024-25 and Delivery Program 2022-2026.

With a strong community focus, the report provides accessible and transparent updates on budgetary and operational performance for the period of 1 January to 30 June 2025. It includes performance highlights, key operational activities aligned with the themes of our Community Strategic Plan, infrastructure works delivered under our capital works program, and our financial position as of 30 June 2025.

OFFICER'S RECOMMENDATION

THAT

- 1. Council receive the Six Monthly Progress Report, a report for the period January to June 2025 on progressing the Delivery Program 2022 – 2026; and**
- 2. The report be made available to the community on Council's website and promoted via social media.**

COUNCIL RESOLUTION

THAT

1. Council receive the Six Monthly Progress Report, a report for the period January to June 2025 on progressing the Delivery Program 2022 – 2026; and
2. The report be made available to the community on Council's website and promoted via social media.

Moved Cr K Jordan, Seconded Cr R Barstow

CARRIED

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

For:

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

Against:

14.3 Quarterly Progress Report – Q4 FY2024–25

FILE NO:	35/33/18/12
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Executive Manager People and Performance
AUTHOR:	Corporate Performance Lead Manager Corporate Planning and Performance
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

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. While it informs the Six-Monthly Progress Report to the community, it also provides Councillors with additional insights, including trend data and updates on the implementation of Council resolutions.

This Quarter Four (Q4) progress report provides a snapshot of Council's 2022–2026 Delivery Program, outlining key projects, initiatives, and performance from April to June 2025. It details progress on our operational plan, performance metrics, and financial and capital status as of 30 June 2025. The report highlights service and infrastructure delivery, major achievements, grants progress and financial performance, ensuring transparency and accountability.

Please note this report excludes the usual Financial highlights, as those figures will be finalised through the Financial Statements and included in the Annual Report.

In addition, 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

- 1. Council receives the quarter four Progress Report for the period April to June 2025 on progressing the Delivery Program 2022 – 2026.**

COUNCIL RESOLUTION

THAT

- 1. Council receives the quarter four Progress Report for the period April to June 2025 on progressing the Delivery Program 2022 – 2026.**

Moved Cr R Barstow, Seconded Cr K Flannery

CARRIED

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

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

14.4 Quarterly Grants Update

FILE NO:	35/33/18/12
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Executive Manager People and Performance
AUTHOR:	Manager Corporate Strategy and Communications Corporate Grants Lead
MAITLAND +10	Outcome 3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.3.2 Advocacy and partnerships

EXECUTIVE SUMMARY

In recognition of the increasing significance of grant funding and to align with our Draft Partnership and Advocacy Strategy, this Quarterly Grants update introduces a clear and transparent overview of Council's grant activities. This includes a summary of applications submitted, successful awards, pending outcomes, and unsuccessful bids.

This section aims to provide Councillors and the community with a comprehensive snapshot of our efforts to secure external funding, supporting key projects and initiatives within the Delivery Program 2022–2026.

By sharing this information every quarter, we keep the community informed about how we're working to secure funding and support important projects. This helps build trust and shows our dedication to partnering with others to make a positive difference for everyone.

OFFICER'S RECOMMENDATION

THAT

- 1. Council receives the quarter four Grants update for the period April to June 2025 on progressing the Delivery Program 2022 – 2026.**

COUNCIL RESOLUTION

THAT

- 1. Council receives the quarter four Grants update for the period April to June 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	Against:
	Cr R Barstow	
	Cr D Ferris	
	Cr K Flannery	
	Cr M Griffin	
	Cr B Hackney	
	Cr S Halliday	
	Cr K Jordan	
	Mayor P Penfold	
	Cr W Penfold	
	Cr B Whiting	
	Cr B Worth	
	Cr M Yarrington	

15 Finance

15.1 Review of Investment Policy

FILE NO:	82/1
ATTACHMENTS:	1. Investment Policy 2025
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Manager Financial Reporting
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

In accordance with Council's policy review process, the Investment Policy has been reviewed and the revised policy is presented for adoption.

OFFICER'S RECOMMENDATION

THAT

1. Council adopt the Investment Policy 2025

COUNCIL RESOLUTION

THAT

1. Council adopt the Investment Policy 2025

Moved Cr S Halliday, Seconded Cr K Jordan

CARRIED

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

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

15.2 Two Proposed Amendments to 2025/26 Fees

FILE NO:	35/33/21
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Manager Financial Reporting
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

An administrative error resulted in the omission of two fee items from the draft 2025/26 Fees and Charges schedule that was publicly exhibited and subsequently adopted by Council at its meeting of 17 June 2025. These items relate to one development application fee category and one specific burial fee classification. The development application fee provides a charge based on a rate per \$1,000 of the value of developments in the one to ten million dollar cost category. This rate is currently \$1.19/\$1,000, however the Environmental Planning & Assessment Regulation 2021 provides for \$1.44/\$1,000. The burial fee item relates to burials for destitute persons. These are currently treated as being exempt in Council's fee schedule. However, with the influx of these burials from outside of the LGA, the exemption is proposed to be removed. These burials will be funded by the NSW Public Health Dept with no impact to LGA rate payers. These changes are to be placed on exhibition for at least 28 days and then returned to Council for approval.

OFFICER'S RECOMMENDATION

THAT

1. Council resolves to place two draft 2025/26 fee amendments, as outlined in this report, on public exhibition for at least 28 days prior to final consideration by Council.

COUNCIL RESOLUTION

THAT

1. Council resolves to place two draft 2025/26 fee amendments, as outlined in this report, on public exhibition for at least 28 days prior to final consideration by Council.

Moved Mayor P Penfold, Seconded Cr M Yarrington

CARRIED

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

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

15.3 Statement of Investments as at 31 July 2025

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 31 July 2025
RESPONSIBLE OFFICER:	Executive Manager Finance Manager Financial Reporting
AUTHOR:	Financial Accountant
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

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

As at the end of July 2025, Council had investments totaling \$216,622,930 under management.

Council's investment portfolio recorded a marked-to-market return of 4.99% per annum versus the bank bill index benchmark return of 3.60% per annum. The actual investment return for the month of July was \$1,012,630, a favourable variance of \$158,121 when compared to the monthly budget forecasts of \$854,509

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 R Barstow

CARRIED

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

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

16 Items For Information

Nil

17 Notices of Motion/Rescission

17.1 Local Government NSW Annual Conference

Notice of Motion Submitted by Cr Mitchell Griffin

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

Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 19 August 2025:

THAT

Council submits the following motions and relevant commentary to the 2025 Local Government NSW Annual Conference:

1. Waste Levy Motion

That LGNSW advocates to the NSW Government and the Environmental Protection Agency for a review of categorisations of the waste levy which unfairly places numerous regional councils as “Metropolitan” under the levy. This is despite these councils being categorised by the State Government and LGNSW as “Regional” councils when it comes to grants, road and infrastructure funding and remuneration.

2. Plastic Straws and Cutlery

That LGNSW advocates to the NSW State Government to rescind the 2022 ban on plastic straws and cutlery.

3. Return and Earn

That LGNSW advocates to the NSW Government to further expand the roll out of Return and Earn recycling with an increase to the reward from 10 cents per item to 20 cents to factor in inflation and encourage further recycling.

4. E-Bikes and E-Scooters

That LGNSW notes the rise in the use of e-bikes and e-scooters and advocates to the State Government for a review of laws surrounding their use to ensure the safety of pedestrians and wider community.

5. Freedom of Choice for Energy

That LGNSW rescinds its current policy platform position which advocates for a transition away from domestic use of gas in homes and adopts the new policy position for freedom of choice in energy type for homeowners and commercial businesses.

6. Immigration During Housing Crisis

That Local Government NSW:

- a) notes that NSW is currently experiencing a housing crisis which has now led to the NSW State Government overriding local councils on planning proposals across the state in order to provide more housing.
- b) advocates to the Federal Government to make immediate reductions to immigration until such a time as the housing crisis is back under control to avoid the State Government overruling local councils with unnecessary and inappropriate planning decisions.

PROCEEDINGS IN BRIEF

Following at least 2 speakers for and 2 speakers against the motion, the Mayor moved a procedural motion for the motion to be put.

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

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

The original motion was then put to the meeting.

COUNCIL RESOLUTION**THAT**

Council submits the following motions and relevant commentary to the 2025 Local Government NSW Annual Conference:

1. Waste Levy Motion

That LGNSW advocates to the NSW Government and the Environmental Protection Agency for a review of categorisations of the waste levy which unfairly places numerous regional councils as “Metropolitan” under the levy. This is despite these councils being categorised by the State Government and LGNSW as “Regional” councils when it comes to grants, road and infrastructure funding and remuneration.

2. Plastic Straws and Cutlery

That LGNSW advocates to the NSW State Government to rescind the 2022 ban on plastic straws and cutlery.

3. Return and Earn

That LGNSW advocates to the NSW Government to further expand the roll out of Return and Earn recycling with an increase to the reward from 10 cents per item to 20 cents to factor in inflation and encourage further recycling.

4. E-Bikes and E-Scooters

That LGNSW notes the rise in the use of e-bikes and e-scooters and advocates to the State Government for a review of laws surrounding their use to ensure the safety of pedestrians and wider community.

5. Freedom of Choice for Energy

That LGNSW rescinds its current policy platform position which advocates for a transition away from domestic use of gas in homes and adopts the new policy position for freedom of choice in energy type for homeowners and commercial businesses.

6. Immigration During Housing Crisis

That Local Government NSW:

- a) notes that NSW is currently experiencing a housing crisis which has now led to the NSW State Government overriding local councils on planning proposals across the state in order to provide more housing.
- b) advocates to the Federal Government to make immediate reductions to immigration until such a time as the housing crisis is back under control

to avoid the State Government overruling local councils with unnecessary and inappropriate planning decisions.

Moved Cr M Griffin, Seconded Cr S Halliday

CARRIED

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

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

17.2 Greta To Rutherford Shared Pathway

Notice of Motion Submitted by Cr Don Ferris

FILE NO: 35/48
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Don Ferris has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 19 August 2025:

THAT

1. Council staff be ready to pursue any grant funding that becomes available to plan for and build pedestrian and cycle infrastructure in central Lochinvar better connecting Lochinvar residential areas to the 3 local schools (stage 1).
2. Council staff be ready to pursue any grant funding that becomes available to plan for and build pedestrian and cycle infrastructure to connect Lochinvar to Rutherford with a 2.5 metre off road concrete shared pathway in the New England Highway road corridor (stage 2).
3. Council staff be ready to pursue any grant funding that becomes available, in consultation with Cessnock Council, to plan for and build pedestrian and cycle infrastructure to connect Lochinvar to the Branxton – Greta shared pathway (due for completion in 2025) with a 2.5 metre off road concrete shared pathway in the New England Highway road corridor (stage 3).
4. Council report back within 6 months on progress.

PROCEEDINGS IN BRIEF

A motion was moved being the submitted Notice of Motion
(Cr D Ferris / Cr A Atkinson)

Cr Mitchell Griffin moved an amendment.
(Cr M Griffin / Cr K Jordan)

THAT

1. Council express its support of the \$2.6M 2025/26 citywide pathway program previously supported by the council;
2. Council acknowledges that, in addition to the expected in developer delivered urban release area path network in Lochinvar, council support the current considerations during this delivery program including :-
 - a. New footpath segment along New England Highway between St Patricks Primary School and Springfield Dr (approximately 550m); and
 - b. Pathway along New England Highway from St Helena's estate to Lochinvar Public School (750m).

The amendment when put to the meeting was declared carried.

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

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

The amendment now becomes the motion.

COUNCIL RESOLUTION**THAT**

1. Council express its support of the \$2.6M 2025/26 citywide pathway program previously supported by the council;
2. Council acknowledges that, in addition to the expected in developer delivered urban release area path network in Lochinvar, council support the current considerations during this delivery program including :-
 - a. New footpath segment along New England Highway between St Patricks Primary School and Springfield Dr (approximately 550m); and
 - b. Pathway along New England Highway from St Helena's estate to Lochinvar Public School (750m).

Moved Cr M Griffin, Seconded Cr K Jordan

CARRIED

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

For:	Cr A Atkinson Cr R Barstow 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 D Ferris
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17.3 Blue Tree Programme

Notice of Motion Submitted by Cr Bill Hackney

FILE NO: 35/48
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Bill Hackney has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 19 August 2025:

THAT

1. Council identifies a suitable location and fully engage in the “Blue Tree” program in support of mental health and suicide awareness.
2. The General Manager be delegated to take all actions necessary to fulfil this action during 2025.

COUNCIL RESOLUTION

THAT

1. Council identifies a suitable location and fully engage in the “Blue Tree” program in support of mental health and suicide awareness.
2. The General Manager be delegated to take all actions necessary to fulfil this action during 2025.

Moved Cr B Hackney, Seconded Cr S Halliday

CARRIED

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

For:	Cr A Atkinson Cr R Barstow Cr D Ferris Cr K Flannery Cr M Griffin Cr B Hackney Cr S Halliday Cr K Jordan Mayor P Penfold Cr W Penfold Cr B Whiting Cr B Worth Cr M Yarrington	Against:
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17.4 Future of Motorcycling Facilities in the Lower Hunter

Notice of Motion Submitted by Cr Warrick Penfold

FILE NO: 35/48
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Warrick Penfold has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 19 August 2025:

THAT

- 1. Council form a “Future of Motorcycling Facilities in the Lower Hunter” working party**
- 2. Council hold an initial Regional Forum in 2025 for same**
- 3. Council invite neighbouring councils to get involved in same**
- 4. Council choose, from among themselves, a Councillor to lead the working party meetings and Regional Forum**
- 5. Council provide all required administrative and professional support**
- 6. Council report back periodically on actions and outcomes of the working party**
- 7. Council delegate all other required decisions for same to the General Manager**

PROCEEDINGS IN BRIEF

A motion was moved being the submitted Notice of Motion.
(Cr W Penfold / Cr S Halliday)

Cr S Halliday requested to amend point 4 with the following:
Councillor Warrick Penfold to lead the working party meetings and Regional Forum

Cr W Penfold accepted this amendment.

THAT

1. Council form a “Future of Motorcycling Facilities in the Lower Hunter” working party
 2. Council hold an initial Regional Forum in 2025 for same
 3. Council invite neighbouring Councils to get involved in same
 4. Councillor Warrick Penfold to lead the working party meetings and Regional Forum
 5. Council provide all required administrative and professional support
-

6. Council report back periodically on actions and outcomes of the working party
7. Council delegate all other required decision for same to the General Manager

The motion when put to the meeting was declared carried

COUNCIL RESOLUTION

THAT

1. Council form a “Future of Motorcycling Facilities in the Lower Hunter” working party
2. Council hold an initial Regional Forum in 2025 for same
3. Council invite neighbouring Councils to get involved in same
4. Councillor Warrick Penfold to lead the working party meetings and Regional Forum
5. Council provide all required administrative and professional support
6. Council report back periodically on actions and outcomes of the working party
7. Council delegate all other required decision for same to the General Manager

Moved Cr W Penfold, Seconded Cr S Halliday

CARRIED

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

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

17.5 Access to North-West of Maitland**Notice of Motion Submitted by Cr Don Ferris**

FILE NO: 35/48
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Don Ferris has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 19 August 2025:

THAT

- 1. Council makes any post flood condition assessment(s) on the bridge construction project available to the public at its earliest possible convenience.**
- 2. Council makes any legal advice pertaining to who is responsible for the repairs to the bridge available to the public at its earliest possible convenience but not so early as to compromise any negotiations with the contractor or jeopardise any proceedings.**

Cr Mitchell Griffin left the meeting, the time being 8:18 pm

Cr Mitchell Griffin returned to the meeting, the time being 08:20 pm

COUNCIL RESOLUTION**THAT**

- 1. Council makes any post flood condition assessment(s) on the bridge construction project available to the public at its earliest possible convenience.**
- 2. Council makes any legal advice pertaining to who is responsible for the repairs to the bridge available to the public at its earliest possible convenience but not so early as to compromise any negotiations with the contractor or jeopardise any proceedings.**

Moved Cr D Ferris, Seconded Cr B Whiting

CARRIED

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

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

18 Questions with Notice

18.1 Mechanics Institute East Maitland

Submitted by Cr Mitchell Griffin

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

Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 19 August 2025:

The Mechanics Institute in Bank Street East Maitland built in 1859 was the site of the first local government meeting within the current day LGA boundary. For many years now the site has remained derelict with the non-original frontage propped up to prevent collapse.

Can officers advise:

- Has there been any investigations into demolishing the current frontage of the building and restoring the front of the building back to its 1859 design?
- If so, what would the appropriate cost be to carry out this work?

RESPONSE BY DIRECTOR FINANCE

There have been a number of investigations undertaken into the Mechanics Institute building and site. The most recent report to Council on 27 September 2022 outlined, among other matters, findings from investigations into a proposed demolition of the current frontage. This report provided Council with an update on the structural condition of the building and associated costs. The report outlined the significant structural challenges with this building and provided three options for Council consideration, including demolition of the façade. With reference to the question on demolition and restoration costs, please note the below extract from *Item 10.5 of the Council report 27 September 2022*.

Option 2 – Demolish the front façade and construct a temporary wall to seal and secure the building.

This option would allow the structural props to be removed and allow pedestrian access. A recent cost estimate for this option was in the vicinity of \$800,000.

The temporary wall would be an interpretation of the original colonnade façade. This cost estimate would now be higher, with a generalised internal estimate of over \$1.3 million today. It is noted that repairing the front façade alone will not allow the building to be used. Additional construction work would be required, at an estimate of \$3 - \$4 million in 2022 as per the Council report, which includes but is not limited to compliance (BCA, accessibility, fire, electrical) and significant structural repairs.

Council's resolution under report Item 10.5 at the 27 September 22 Council meeting, is outlined below. It was resolved that:

1. Council endorse the decision that the Literary Institute Lots 1 and 2 DP 997833, 2022 Bank Street East Maitland is not required as part of Maitland City Councils' community facilities network;
2. Council commences a land reclassification process for Lot 2 DP 997833 20 Bank Street East Maitland from Community Land to Operational Land.

The broader issue of decisions on the future of the Mechanics Institute building is now clearly on the agenda for Council's newly formed Property Advisory Panel (panel). The panel will receive regular updates on the reclassification process. In addition, options for the building will be explored by Council Officers with support from relevant external experts and reported to the panel for review and endorsement. Once reviewed and endorsed by the panel, all recommendations for this matter will come to Council via a report for consideration.

19 Urgent Business

Council moved into Committee of the Whole at 8.22 pm.

Moved Cr B Hackney, Seconded Cr M Yarrington

CARRIED

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

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

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 8.22 pm.

Moved Cr M Yarrington, Seconded Cr B Hackney

CARRIED

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

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

20 Committee of the Whole

20.1 Consideration Of Tender – 2023/2432 Maitland Resource Recovery Facility Metals Tender

FILE NO: 61/23

ATTACHMENTS: Nil

RESPONSIBLE OFFICER: Acting Director City Services
Manager Environment & Sustainability
Operations Manager Waste

AUTHOR: Sustainability Officer

MAITLAND +10 Outcome 2 Sustainable Maitland

COUNCIL OBJECTIVE: 2.2 Sustainable and resilient communities

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

Tenders were called to engage a suitably qualified and experienced contractor to efficiently and sustainably manage metal items received at the Maitland Resource Recovery Facility.

This report provides details of the tender assessment and a recommendation to award a contract for the works. This report is being presented to the Committee of the Whole as it contains confidential commercial information.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr M Griffin / Cr K Jordan)

THAT

1. Council in accordance with Clause 178(3)(e) of the Local Government (General) Regulation 2021 decline to accept any of the tenders for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot, on the basis that the preferred tender has requested amendments to the Major Service Contract.
2. Council negotiates a contract with InfraBuild Recycling Pty Ltd for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot.
3. Council authorises the General Manager to enter into negotiations and sign any relevant agreement.

The motion when put to the meeting was declared carried.

COMMITTEE RECOMMENDATION

THAT

1. **Council in accordance with Clause 178(3)(e) of the Local Government (General) Regulation 2021 decline to accept any of the tenders for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot, on the basis that the preferred tender has requested amendments to the Major Service Contract.**
2. **Council negotiates a contract with InfraBuild Recycling Pty Ltd for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot.**
3. **Council authorises the General Manager to enter into negotiations and sign any relevant agreement.**

Moved Cr M Griffin, Seconded Cr K Jordan

CARRIED

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

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

Council resumed into Ordinary Council at 8.24 pm.

Moved Cr M Griffin, Seconded Cr W Penfold

CARRIED

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

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

21 Committee of the Whole Recommendations

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

20.1 Consideration Of Tender – 2023/2432 Maitland Resource Recovery Facility Metals Tender

THAT

1. Council in accordance with Clause 178(3)(e) of the Local Government (General) Regulation 2021 decline to accept any of the tenders for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot, on the basis that the preferred tender has requested amendments to the Major Service Contract.
2. Council negotiates a contract with InfraBuild Recycling Pty Ltd for collection and purchase of metals and used lead acid batteries from the Maitland Resource Recovery Facility and Council Works Depot.
3. Council authorises the General Manager to enter into negotiations and sign any relevant agreement.

COUNCIL RESOLUTION

THAT

The Committee recommendations be adopted.

Moved Cr M Griffin, Seconded Cr K Jordan

CARRIED

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

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

22 Closure

The meeting was declared closed at 8.26 pm.

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Chairperson