

# Ordinary Meeting Agenda

16 September 2025

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **Meeting of Maitland City Council** will be held in the **Council Chambers, Town Hall, High Street, Maitland**, commencing at **5.30pm**.

**Jeff Smith**  
**General Manager**

**Please note:**

Councillors are reminded of their Oath or Affirmation of Office to undertake their duties in the best interests of the people of the City and Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993, or any other Act to the best of their ability and judgement. Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

In accordance with the NSW Privacy and Personal Information Protection Act, you are advised that all discussion held during the Open Council meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, Staff member or a member of the public.

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## **Present**

- 1 Invocation**
- 2 Acknowledgement of Country**
- 3 Apologies, Leave of Absence and Remote Attendance**
- 4 Declarations of Interest**
- 5 Confirmation of Minutes of Previous Meeting**
  - *The Minutes of the Ordinary Meeting held 19 August 2025 be confirmed.*
- 6 Business Arising from Minutes**
- 7 Withdrawal of Items and Acceptance of Late Items of Business**
- 8 Public Access**
- 9 Mayoral Minute**

## 10 Office of the General Manager

### 10.1 Election of Deputy Mayor

FILE NO:	35/2 & 35/7
ATTACHMENTS:	1. Election of Mayor and Deputy Mayor by Councillors Fact Sheet 2. Nomination Form Deputy Mayor 2025
RESPONSIBLE OFFICER:	Office Manager General Manager
AUTHOR:	Team Leader OGM
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.2.3 Development and growth of our people

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#### EXECUTIVE SUMMARY

*At Council Meeting 22 October 2024, Council resolved to elect a Deputy Mayor for a period of 12 months. The purpose of this report is to undertake an election of a Deputy Mayor for the period determined by the Council.*

#### OFFICER'S RECOMMENDATION

##### THAT

1. Council determine whether or not it will elect a Deputy Mayor and, if so, for what term;
  2. Should Council resolve to elect a Deputy Mayor, Council:
    - a) Conduct an election of Deputy Mayor in accordance with the *Local Government (General) Regulation 2021* Schedule 7;
    - b) Determine whether the election of Deputy Mayor is to proceed by way of:
      - i. Preferential ballot;
      - ii. Ordinary ballot; or
      - iii. Open voting
    - c) Determine any fee payable to the Deputy Mayor for such time as the Deputy Mayor acts in the office of the Mayor, noting that the amount of the fee so paid must be deducted from the Mayor's annual fee.
  3. The Deputy Mayor chains be engraved with the new Deputy Mayors name.
-

## ELECTION OF DEPUTY MAYOR (Cont.)

**REPORT**

Section 231 of the NSW *Local Government Act 1993*, provides for the election of a Deputy Mayor in the following terms:

- 1) The councillors may elect a person from among their number to be the Deputy Mayor.
- 2) The person may be elected for the mayoral term or a shorter term.
- 3) The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.
- 4) The councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function, or if no Deputy Mayor has been elected.

The position of Deputy Mayor is not a requirement of legislation, it is created at the discretion of Council. It is a matter for the Mayor to determine when and to what extent the Deputy Mayor should carry out any Mayoral function. A Deputy Mayor where elected, has no greater role or authority than any other councillor.

The General Manager or his nominee will act as the Returning Officer for the election of the Deputy Mayor should Council resolve to proceed with the election of a Deputy Mayor.

**Nominations**

Nominations are to be made using the Nomination Form (Attachment 2) and can be made without notice. The nomination should be endorsed by two (2) or more councillors (one of whom may be the nominee). A nomination is not valid unless the nominee has indicated their consent on the form. All nominations must be submitted to the Returning Officer. Copies will also be available at the Council meeting.

**Method of voting**

The Returning Officer will announce the name(s) of the nominee(s) at the Council Meeting on 16 September 2025. If only one (1) councillor is nominated that councillor is elected. If there is more than one (1) nomination, Council must determine the method of voting to be used. Voting methods are as follows:

- a) Preferential Ballot
- b) Ordinary Ballot and
- c) Open Voting

The Open Voting method was used at Council Meeting 22 October 2024.

Council may also determine any fee payable to the Deputy Mayor in accordance with Section 249(5) of the NSW *Local Government Act 1993*, the amount will be deducted from the Mayor's annual fee.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

ELECTION OF DEPUTY MAYOR (Cont.)

**POLICY IMPLICATIONS**

This matter has no specific policy implications for Council.

**STATUTORY IMPLICATIONS**

There are no statutory implications under the Local Government Act 1993 with this matter.

# **Office of the General Manager**

## **Election of Deputy Mayor**

### **Election of Mayor and Deputy Mayor by Councillors Fact Sheet**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 6**

## ELECTION OF DEPUTY MAYOR (Cont.)

## Fact Sheet

ELECTION OF MAYOR AND DEPUTY  
MAYOR BY COUNCILLORS

## Summary

Councillors must elect a mayor from among their number every two years unless they have a popularly elected mayor.

Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

The election of the mayor and the deputy mayor must be conducted in accordance with section 394 and Schedule 7 of the *Local Government (General) Regulation 2021* (the Regulation).

The purpose of this document is to assist councils to conduct mayoral and deputy mayoral elections in accordance with these requirements. It includes scripts for key activities to help returning officers exercise their functions. These scripts are provided in the text boxes inserted in the relevant parts of this document.

## How can councils use this document?

Electing a mayor is an important activity. It is vital that the process is smooth, open and easy to follow and not rushed or confusing.

Where necessary, it may be appropriate to stop and provide clarification for the benefit of councillors, staff or the gallery.

Returning officers can circulate this document prior to the meeting to help councillors understand the election process.

Election of a mayor after an ordinary election  
of councillors

An election for mayor must be held within three weeks of the declaration of the ordinary election at a meeting of the council.

The returning officer is to be the general manager or a person appointed by the general manager.

As no mayor or deputy mayor will be present at the start of the meeting, the first business of the meeting should be the election of a chairperson to preside at the meeting. Alternatively, the returning officer may assume the chair for the purpose of conducting the election.

## Mid-term election of a mayor

A mayor elected by councillors holds office for two years. A mid-term mayoral election must be held in the September two years after the ordinary election of councillors or the first election of a new council following its establishment.

## Procedures

## Prior to the meeting

Before the council meeting at which the election is to be conducted, the returning officer will give notice of the election to the councillors.

The notice is to set out how a person may be nominated as a candidate for election as chairperson.

*As returning officer, I now invite nominations for the position of mayor/deputy mayor for [name of council] for a two year period.*

*In accordance with the Local Government (General) Regulation 2021, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.*

A councillor may be nominated without notice for election as mayor or deputy mayor. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The returning officer checks the nomination forms and writes the nominees' names on a candidates' sheet.

## At the meeting

At the start of the first meeting after an ordinary election, in the absence of a chairperson, the returning officer assumes the chair and announces that the first item of business is to be the election of a mayor.

If a chairperson is present, they announce that the first item of business is the election of the mayor then vacates the chair for the returning officer who will then conduct the election.

The returning officer reads out the names of the nominees and seeks confirmation that the nominee has accepted the nomination.

If only one councillor has been nominated for the position of mayor/deputy mayor, the nominee is elected.

*As there is only one nominee for the role of mayor/deputy mayor, I declare that [name of successful candidate] is elected as mayor/deputy mayor for the ensuing two years.*

If more than one candidate has been nominated, the council must determine by resolution, the method of voting for the position of mayor/deputy mayor, by way of one of the following methods:

- Open voting – i.e. by show of hands
- Ordinary ballot – i.e. a secret ballot (place an "X" against the candidate of their choice)
- Preferential ballot – i.e. place 1, 2, 3 etc. against each candidate.

## ELECTION OF DEPUTY MAYOR (Cont.)

The returning officer must ask for a motion to be put to the meeting by one of the councillors on the preferred method of voting for the election of a chairperson. This must then be seconded and voted on by the councillors.

**Note:** In the event of a tie, if there is a chairperson, they may use their casting vote. If there is a tie and no chairperson, an election for the role of chairperson should be conducted. Then the election for mayor resumes.

### Open voting (show of hands)

Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods.

The returning officer will advise the meeting of the method of voting and explains the process.

*It has been resolved that the method of voting for the position of mayor/deputy mayor will be by show of hands.*

*Each councillor is entitled to vote for only one candidate in each round of voting.*

*I will now write each candidate's name on a slip of paper and deposit it in a barrel. The first name out of the barrel will be written first on the tally sheet, with second name out being written second on the tally sheet, etc.*

When all candidates' names have been written on the tally sheet, the returning officer announces the names of the candidates and, commencing with the first candidate, states the following:

*Would those councillors voting for [name of candidate] please raise your hand.*

The returning officer records the number of votes for each successive candidate on the tally sheet and announces the number of votes received for each candidate.

The minute taker records the vote of each councillor.

The returning officer should check with the minute taker that each councillor has voted. If a councillor has not voted it should be confirmed that they are abstaining (an informal vote).

#### Two candidates

If there are only two candidates for the position of mayor/deputy mayor and the voting is higher for one candidate than another (number of formal votes recorded on the tally sheet), the returning officer then announces the result.

*[Name of candidate] has the higher number of formal votes and as a result I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote**, the returning officer will advise the meeting of the following process.

*In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the*

*names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

#### Three or more candidates

If there are three or more candidates, the candidate with the lowest number of votes for the position of mayor/deputy mayor is excluded.

*[Name of candidate], having the lowest number of votes, is excluded.*

The voting continues as above until there are only two candidates remaining (see voting for **two candidates** above).

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.



## ELECTION OF DEPUTY MAYOR (Cont.)

**Ordinary ballot – (secret ballot)**

The returning officer advises the meeting of the method of voting and explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by ordinary ballot, in other words by placing an "X" against the candidate of the councillor's choice.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

It will be necessary to have a number of blank papers as this process may require more than one round of voting.

The returning officer writes the names on one set of the ballot papers and initials the front of each ballot paper.

A staff member distributes the ballot papers and collects them into the ballot box when completed and gives it to the returning officer who counts the votes and records them on the tally sheet.

The returning officer announces the results.

*[Name of candidate], having the lowest number of votes, is excluded.*

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

The returning officer writes the names of the remaining candidates on a further set of the ballot papers and initials the front of each ballot paper.

The staff member distributes ballot papers listing the remaining candidates and collects them into the ballot box when completed and gives it to the returning officer who again counts the votes and records them on the tally sheet and announces the results.

The process continues until two candidates remain, where a final vote takes place.

*[Name of candidate] has the higher number of votes and I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** between the two remaining candidates, the returning officer makes the following statement and announces the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel.*

*Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

## ELECTION OF DEPUTY MAYOR (Cont.)

### Preferential ballot

The returning officer explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by preferential ballot, i.e. placing 1, 2 and so on against the candidate of the councillor's choice in order of preference for all candidates.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each candidate's name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

The returning officer writes the names on the ballot papers and initials the front of each ballot paper. This method of voting requires only one set of ballot papers.

A staff member distributes the ballot papers and collects them when completed and gives them to the returning officer who counts the first preference votes and records them on the tally sheet.

If a candidate has an absolute majority of first preference votes (more than half), the returning officer declares the outcome.

*[Name of candidate], having an absolute majority of first preference votes, is elected as mayor/deputy mayor for the ensuing two years.*

If no candidate has the absolute majority of first preference votes, the returning officer excludes the candidate with the lowest number of first preference votes.

*[Name of candidate], having the lowest number of first preference votes, is excluded.*

The preferences from the excluded candidate are distributed. This process continues until one candidate has received an absolute majority of votes, at which time the returning officer announces the result.

*[Name of candidate], having an absolute majority of votes, is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** where there are only two candidates remaining in the election, the returning officer explains the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel. The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

In the event that the **lowest number of votes are tied** and where there are three or more candidates remaining in the election, the returning officer advises the meeting of the process.

*In accordance with section 12 of Schedule 7 of the Local Government (General) Regulation 2021, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded and their preferences distributed.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is excluded and any votes cast for them will be distributed by preference.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

## ELECTION OF DEPUTY MAYOR (Cont.)

**Schedule 7 - Election of Mayor by Councillors****Part 1 Preliminary****1 Returning officer**

The general manager (or a person appointed by the general manager) is the returning officer.

**2 Nomination**

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

**3 Election**

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section:  
*ballot* has its normal meaning of secret ballot.  
*open voting* means voting by a show of hands or similar means.

**Part 2 Ordinary ballot or open voting****4 Application of Part**

This Part applies if the election proceeds by ordinary ballot or by open voting.

**5 Marking of ballot-papers**

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

**6 Count—2 candidates**

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

**7 Count—3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

## ELECTION OF DEPUTY MAYOR (Cont.)

**Part 3 Preferential ballot****8 Application of Part**

This Part applies if the election proceeds by preferential ballot.

**9 Ballot-papers and voting**

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

**10 Count**

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this section, “**absolute majority**”, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

**11 Tied candidates**

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

**Part 4 General****12 Choosing by lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

**13 Result**

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Secretary and to the Chief Executive of Local Government NSW.

# **Office of the General Manager**

## **Election of Deputy Mayor**

### **Nomination Form Deputy Mayor 2025**

**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 1**

Nomination Form Deputy Mayor

Election of the Deputy Mayor 2025

We hereby nominate

Cr\_\_\_\_\_

for the position of **DEPUTY MAYOR**.

Cr\_\_\_\_\_

Cr\_\_\_\_\_

Date\_\_\_\_\_

I hereby accept nomination for the position of **DEPUTY MAYOR**

Cr\_\_\_\_\_

Date\_\_\_\_\_

Please return to the Returning Officer of the General Manager

Details	
Date received:	
Received by:	

## 10.2 Councillor Facilities and Expenses Report

FILE NO:	35/36/10
ATTACHMENTS:	1. Councillor Expenses Report 1 January 2025 to 30 June 2025
RESPONSIBLE OFFICER:	Office Manager General Manager
AUTHOR:	Team Leader OGM Executive Assistant
MAITLAND +10	Outcome 4 Achieving together
COUNCIL OBJECTIVE:	4.2.3 Development and growth of our people

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### EXECUTIVE SUMMARY

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

### OFFICER'S RECOMMENDATION

#### THAT

1. The information contained in the report be noted.

### REPORT

Council's Councillor Expenses and Facilities Policy establishes the framework for administration of reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to support them undertake their civic duties.

The policy requires that detailed reports on the provision of expenses and facilities to councillors be publicly available at a council meeting every six months and published in full on council's website.

The purpose of this report is to present the accumulated figure for each councillor covering the period from 1 January 2025 to 30 June 2025.

### FINANCIAL IMPLICATIONS

The provision of expenses and facilities for Councillors are incorporated in the Councils adopted budget.

### POLICY IMPLICATIONS

This report satisfies the six monthly reporting requirement set out in the Councillor Expenses and Facilities Policy. This matter otherwise has no specific policy implications for Council

### STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

# **Office of the General Manager**

## **Councillor Facilities and Expenses Report**

### **Councillor Expenses Report 1 January 2025 to 30 June 2025**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 1**



## COUNCILLOR FACILITIES AND EXPENSES REPORT (Cont.)

**Councillor Expenses | 1 January 2025 to 30 June 2025**

Councillor	Telecommunications	General Travel/ Mileage	JRPP	Community Event Attendance	Conference Registration	Accommodation/Meals /Parking/Travel	Uniform	Total
Atkinson	•	•	•	•	\$1,565.63	\$1,539.20	•	\$3,104.83
Barstow	\$174.60	\$275.95	•	•	•	•	•	\$450.10
Ferris	•	•	•	•	\$1,473.00	\$999.80	•	\$2,472.80
Flannery	•	•	•	•	\$990.00	\$1,318.70	•	\$2,305.00
Griffin	•	•	•	\$206.00	\$1,437.00	\$2,558.90	•	\$4,201.90
Hackney	\$153.52	•	•	•	•	\$358.00	\$337.42	\$895.52
Halliday	\$1,026.16	•	\$1,200.00	•	\$2,248.00	\$3,319.13	•	\$7,793.29
Jordan	\$1,000.00	•	•	\$154.76	•	•	•	\$1,154.76
Penfold P	\$1,200.00	•	•	\$196.90	\$1,258.00	\$2,194.24	\$182.93	\$5,032.07
Penfold W	\$666.04	•	•	\$230.39	\$1,437.00	\$2,106.04	\$145.20	\$4,584.67
Whiting	•	•	•	•	•	•	•	\$0.00
Worth	\$1,000.00	•	•	•	•	•	•	\$1,000.00
Yarrington	•	•	•	•	•	•	•	\$0.00
Total								\$32,994.94

### 10.3 Final Council Meeting Date 2025

FILE NO:	35/7
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Office Manager General Manager
AUTHOR:	Team Leader OGM
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

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#### EXECUTIVE SUMMARY

*The Local Government Act 1993 stipulates that Councils must meet at least ten (10) times each year, each time in a different month.*

*Maitland City Council, under its Code of Meeting Practice, requires a meeting to be held on the third Tuesday of each month. Clause 2.1 of the Code of Meeting Practice states that the meeting in December be determined annually by resolution of council, and on a date in January determined by the General Manager, if deemed necessary.*

*This report recommends the date for the December meeting to be the second Tuesday of the month, Tuesday 9 December 2025. The first meeting of the new year is planned for the fourth Tuesday 27 January 2026.*

*If there is an emergency that needs to be discussed during this period, Council has the option to call an Extraordinary meeting to determine any issues*

#### OFFICER'S RECOMMENDATION

##### THAT

- 1. The December meeting be held on Tuesday, 9 December 2025.**
- 2. The January meeting be held on Tuesday, 27 January 2026.**

#### REPORT

The Local Government Act 1993 under Section 365 stipulates that Councils must meet at least ten (10) times each year, each time in a different month.

Maitland City Council, under its Code of Meeting Practice, requires that Council holds a meeting on the third Tuesday of each month, other than January and December.

Clause 2.1 of the Code identifies that the meeting held in December is determined annually by resolution of the council and the meeting in January be determined by the General Manager, if deemed necessary.

FINAL COUNCIL MEETING DATE 2025 (Cont.)

This report recommends the final ordinary council meeting of the year be held on Tuesday 9 December 2025 and the first meeting of the new year be held on Tuesday 27 January 2026.

This practice recognises that many Councillors and Council staff take leave over this period, but still enables Council to function effectively, whilst also satisfying the requirements of the Local Government Act 1993.

**CONCLUSION**

This report recommends the final council meeting be held on Tuesday 9 December 2025, and the first Ordinary meeting of the new year be scheduled for Tuesday 27 January 2026.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

**POLICY IMPLICATIONS**

This matter has no specific policy implications for Council.

**STATUTORY IMPLICATIONS**

There are no statutory implications under the Local Government Act 1993 with this matter.

## 11 City Planning

### 11.1 Adoption of Draft Development Control Plan – Mount Vincent Urban Release Area (Lot 141 DP1225076, 62 Mount Vincent Road East Maitland And Lot 6 DP855275, 6 Wilton Drive East Maitland)

FILE NO:	103/190
ATTACHMENTS:	1. Draft Mount Vincent Road URA DCP for Adoption (Under Separate Cover) 2. Submission
RESPONSIBLE OFFICER:	Acting Director City Planning Manager Strategic Planning Coordinator City Planning
AUTHOR:	Senior Strategic Planner
PROPONENT:	Hunter Land Pty Ltd
LAND-OWNER:	Keith James Wilton and Jennifer Amie Blais
ZONE:	R1 General Residential, C3 Environmental Conservation
PROPOSAL:	Adoption of the Mount Vincent Urban Release Area DCP

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#### EXECUTIVE SUMMARY

*On 18 March 2025, Council resolved to place the draft Development Control Plan (DCP) for the Mount Vincent Road Urban Release Area (URA) at 62 Mount Vincent Road and 6 Wilton Drive, East Maitland on public exhibition. The draft DCP was exhibited from 31 March 2025 until 28 April 2025. During the exhibition period, one (1) submission was received.*

*The site is currently zoned as part R1 General Residential and part C3 Environmental Management with the R1 portion mapped as an Urban Release Area under the Maitland Local Environmental Plan 2011 (MLEP 2011). Part 6 of MLEP 2011 ensures that development on land in an Urban Release Area occurs in a logical and cost-effective manner. Clause 6.3 applies to the subject land and requires a Development Control Plan (DCP) to be prepared and endorsed by Council prior to any subdivision of the land.*

*The purpose of this report is to inform Council of the outcomes of public exhibition and recommend to Council that the final draft DCP be adopted.*

#### OFFICER'S RECOMMENDATION

##### THAT

- 1. The draft Mount Vincent Road Urban Release Area Development Control Plan in Attachment 1 be adopted as an amendment to the Maitland City-wide Development Control Plan 2011.**
  - 2. Public notice be given in Council's website within 28 days of the decision being made.**
  - 3. Notification of Council's decision be provided to those who made a submission.**
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ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

## REPORT

### Background

The subject land comprises Lot 141 DP1225076 (62 Mount Vincent Road) and Lot 8 DP855275 (6 Wilton Drive) which are zoned R1 General Residential and C3 Environmental Management. The site has a combined area of 21.9 hectares, with the R1 portion being approximately 6.7 hectares, which will provide additional serviced land for housing to accommodate future population growth.

The preparation and adoption of a development control plan is required under Part 6 – Urban Release Areas of the *MLEP 2011* for land identified as an urban release area. The DCP must address site-specific issues and provide development objectives and requirements, to be read in conjunction with the Maitland DCP 2011.

A Development Application (DA/2024/731) has been lodged over site by Hunter Land for subdivision creating 77 lots and is currently under assessment. The development application cannot be approved until such time as the Mount Vincent URA DCP has been endorsed, and will be subject to the development controls it contains.

A draft Mount Vincent Road URA DCP completed exhibition on 28 April 2025. Following the public exhibition and discussion with the developer, a number of minor amendments have been made to improve clarity and ensure consistency with current standards and practices. These changes do not alter the intent of the DCP but serve to enhance its usability and accuracy.

A key amendment relates to stormwater detention. Revisions were made to design and location of a stormwater detention basin to address concerns relating to earthworks, access, public safety, and its integration with the vegetation corridor. This amendment ensures the infrastructure will be more functional and better aligned with the site's environmental features.

Other changes to the draft DCP following exhibition include:

- Amendment to the tree species list to align with the current Maitland Tree Species List, ensuring consistency with Council's broader urban greening objectives.
- Relocation of the vegetation corridor from the east of the R1 zoned land to the south and west to improve connectivity.
- Amendment to the perimeter road on the eastern side of the R1 due to the buffer required towards the overhead powerlines.
- Simplification of mine subsidence controls, removing duplication with requirements already enforced by Subsidence Advisory NSW.
- Streamlining of contamination controls, removing unnecessary technical detail from the DCP framework.
- Removal of odour controls, as the distance from potential sources makes such controls unnecessary.
- Inclusion of an open space park in the northwest corner of the site.
- Formalisation of existing footpath in the northwest corner of the site to connect back into Wilton Drive to allow for connection to the existing bus stop.

ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

These refinements collectively improve the clarity and efficiency of the DCP while maintaining its intent and regulatory effectiveness.

### **Public Exhibition**

The draft DCP was on public exhibition from 31 March 2025 until 28 April 2025. During the exhibition period, one (1) submission was received (**Attachment 2**) The submission objected to the proposed road connection intersecting Wilton Drive to the east of their property. Concern was raised that the proposed road, located to the south and rear of their lot, effectively isolates the property between two roads.

The road connection in question is required to meet the General Terms of Approval issued by the NSW Rural Fire Service (RFS) under DA/2024/731 which mandate two points of access to Wilton Drive for bushfire safety and emergency egress. This dual-access requirement ensures that an alternative route is available in the event one road becomes compromised during an emergency.

The current alignment has been strategically selected to minimise impacts on areas zoned C3 Environmental Management. Following the initial submission, the submitter suggested an alternative location further along Wilton Drive. However, this alignment would result in significantly more clearing of existing vegetation, which is not considered acceptable from an environmental planning perspective and would likely not be supported through the assessment process.

The proposed road is not located directly along the submitter's rear boundary. Concept planning shows the road to be approximately 35 metres from the boundary, with a minimum 3-metre vegetated buffer included in the layout. The road will cross the existing infrastructure easement, and appropriate clearance from existing transmission lines and other services will be addressed in detail during the assessment of DA/2024/731.

The submission also raised concern that sufficient consultation was not undertaken as part of the project. The draft DCP provides a high-level framework to guide future development within the precinct. While it includes indicative road layouts and land use planning principles, the finer detail, including exact road alignments, infrastructure placement, and potential impacts on individual properties, is determined during the Development Application (DA) stage. This approach ensures that detailed technical studies, site investigations, and agency requirements can inform the final design outcomes.

Following Council's resolution in March 2025, public exhibition of the draft DCP was carried out in accordance with Council's Community Participation Plan. The exhibition period provided an opportunity for all interested parties, including directly affected landowners, to view the proposed controls and provide feedback. It is acknowledged that residents may continue to have questions or concerns regarding how the DCP may influence future development near their properties. These concerns are more appropriately addressed through the DA process, where detailed designs are exhibited and assessed. The DA process also includes formal notification and an opportunity for affected landowners to make submissions on specific elements such as road placement, traffic impacts, landscaping, and servicing.

Accordingly, no changes to the draft DCP are recommended as a result of this submission.

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ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

## **CONSULTATION**

Internal consultation was undertaken throughout the preparation of the DCP, with input received from Council's Development Engineering, Development Planning, Strategic Planning, Environmental and Sustainability, and City Services teams. This input was critical in ensuring appropriate outcomes relating to road networks, stormwater drainage, environmental corridors, pedestrian connectivity, earthworks, and site safety.

In addition, consultation was carried out with the developer both during the drafting of the DCP and throughout the public exhibition period and after it closed. As a result of these discussions, several amendments were made to the document, most notably the relocation of the detention basin, relocation of a portion of the revegetation in the east to extend into the south, and minor realignment of the eastern perimeter road to avoid conflict with the overhead powerlines, in response to the developer's request.

## **CONCLUSION**

The adoption of the draft Mount Vincent Urban Release Area DCP will satisfy those requirements of the Part 6 of *MLEP 2011* and enables assessment and determination of a development application to progress the delivery of residential housing within the site.

It is recommended that the final draft DCP be adopted as an amendment to the Maitland City-wide DCP 2011 and public notice be given in Council's website within 28 days of the decision being made.

ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

## RISK IMPLICATIONS

Risk	Risk rating	Proposed treatment	Proposed risk rating	Resourcing
There is a legal, reputational, and operational risk that, if Council does not adopt the draft DCP, it may be unable to approve compliant development applications on the site, which may lead to Development Assessment staff assessing proposals without the guidance of a consistent planning framework.	High	Adoption of the draft Development Control Plan	Low	Within existing resources
There is a strategic risk that, if Council does not adopt the DCP, it may fail to progress the next phase of the development process for land identified for growth in the Local Strategic Planning Statement and Local Housing Strategy, which may lead to delays in meeting identified housing and growth objectives.	High	Adoption of the draft Development Control Plan	Low	Within existing resources
There is a reputational risk that, if Council does not adopt the DCP, it may be perceived as delaying or obstructing development for land strategically endorsed for urban growth, which may lead to reduced stakeholder confidence and criticism of Council's commitment to housing delivery.	Medium	Adoption of the draft Development Control Plan	Low	Within existing resources

## FINANCIAL IMPLICATIONS

The preparation of a Development Control Plan is subject to Council's adopted fees and charges, all of which have been paid for this project. These fees contribute to covering Council's resourcing costs associated with preparing the plan.



ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

### **POLICY IMPLICATIONS**

The Mount Vincent Road DCP is a Council policy document prepared under the *Environmental Planning and Assessment Act 1979* and in accordance with clause 6.3 of the *MLEP 2011*. Once adopted, it will form part of the Maitland Citywide Development Control Plan and provide detailed planning controls for the URA.

### **STATUTORY IMPLICATIONS**

There are no statutory implications under the *Local Government Act 1993* in relation to this matter. The DCP has been prepared and publicly exhibited in accordance with the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*.

ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND) (Cont.)

## **City Planning**

# **Adoption of Draft Development Control Plan – Mount Vincent Urban Release Area (Lot 141 Dp1225076, 62 Mount Vincent Road East Maitland and Lot 6 DP855275, 6 Wilton Drive East Maitland)**

## **Submission**

**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 1**

ADOPTION OF DRAFT DEVELOPMENT CONTROL PLAN - MOUNT VINCENT URBAN RELEASE AREA (LOT 141 DP1225076, 62 MOUNT VINCENT ROAD EAST MAITLAND AND LOT 6 DP855275, 6 WILTON DRIVE EAST MAITLAND)  
(Cont.)

23 April 2025

The General Manager  
Maitland City Council

Attention General Manager,

RE: Reference No. 103/190

I wish to formally object to the Amendment to the Maitland Development Control Plan 2011 (Part F – Urban Release Areas).

I wish to express my objection for the following reasons:

1. The proposal now includes a road that Intersects Wilton Drive immediately to the East of my property and appears to run along the rear boundary line with a 3 metre buffer for vegetation. The inclusion of the road to the South effectively creates an island between two roads. At no point to date has this scenario been proposed and I question why the design has been finalised without any consultation with affected residents. There is no mention of the existing power transmission lines that exist in this location.
2. There has been NO consultation with affected residents such as ourselves. The proposal ensures that a number of concerns I have raised previously will now need to be addressed in any future development applications but these details in the proposed amendment need to be explained to existing residents.

I accept that there is a need to continue to grow the area around Maitland but I propose the amendment requires proper consultation with the immediately affected residents. Prior to progressing the amendment further, could yourself or the appropriate Council Officer make time to meet with the residents to discuss?

I also hereby declare that I have never made a reportable Political Donation.

Yours sincerely,

■■■■■  
■■■■■  
■■■■■  
■■■■■

## 11.2 Adoption of Draft Economic Development Strategy 2025–2035

FILE NO:	103/75
ATTACHMENTS:	<ol style="list-style-type: none"><li>1. Final Economic Development Strategy 2025–2035 (Under Separate Cover)</li><li>2. Submission Assessment Draft Economic Development Strategy 2025–2035 (EDS)</li></ol>
RESPONSIBLE OFFICER:	Acting Director City Planning Manager Strategic Planning
AUTHOR:	Senior Visitor Economy Officer
MAITLAND'S FUTURE	3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.1.1 Investment attraction
PREVIOUS ITEMS:	11.2 – Exhibition of the Draft Economic Development Strategy – Ordinary Council – 20 May 2025 5:30 PM 10.1 – Future Maitland Engagement Summary Report – Ordinary Council – 22 Nov 2022 (Policy & Finance)

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### EXECUTIVE SUMMARY

*The 2022-2026 Delivery Program included an action to implement a new approach to economic development. Prepared internally, the Economic Development Strategy reflects and responds to community wellbeing and economic priorities, and supports Maitland's recently adopted Community Strategic Plan.*

*In accordance with the Council resolution of 20 May 2025, the draft Economic Development Strategy was placed on public exhibition for a period of 38 days from 23 May to 30 June 2025. Sixteen submissions were received, resulting in a number of updates and amendments to improve the draft strategy. Overall, a high level of support was outlined in the submissions, which included nine letters of support secured from key stakeholders.*

*It is recommended that Council formally adopt the updated Economic Development Strategy 2025-2035 (Attachment 1), and notify those who made a submission of the outcome.*

### OFFICER'S RECOMMENDATION

#### THAT

1. Council adopts the draft Economic Development Strategy 2025–2035 in Attachment 1.
2. Notification of the outcome is provided to those who made a submission.

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

**REPORT**

The 2022-2026 Delivery Program included an action to develop an Economic Development Strategy to support economic and social growth.

This Economic Development Strategy (EDS) has been prepared internally, following extensive economic research and analysis, and in-depth community consultation and engagement, commencing in 2022.

The strategy responds to community wellbeing and economic priorities, embodies the principles of a wellbeing economy and is the first to feature Maitland's wellbeing domains as published in Maitland's Community Strategic Plan.

With a 10-year strategic outlook, the EDS supports Council's Vibrant Maitland focus area and provides a framework to guide Council actions (deliver, partner and advocate) to enhance the economic viability, liveability, and growth of Maitland.

To achieve our shared vision of a connected city with thriving communities, Council will focus its economic development resources on four focus areas and 12 priorities:

- People and future skills – knowledge, skills and movement
- Thriving and connected places – connected, sustainable and vibrant
- Innovative and diverse economy – identity, investment and innovation
- Productive and equitable partnerships – productivity, advocacy and equity

The EDS identifies four economic precincts and two future precincts, eight emerging industry specialisations, and 39 objectives with indicators to assist in measuring and reporting on progress.

In accordance with the Council resolution of 20 May 2025, the draft EDS was placed on public exhibition for 38 days from 23 May to 30 June 2025. Sixteen submissions were received, and strong support was demonstrated with nine letters of support secured.

Following a number of updates and amendments in response to matters outlined in the submissions, the updated EDS is now presented to Council with a recommendation for formal adoption of the draft Economic Development Strategy 2025 - 2035. Adoption of the EDS will support implementation of actions in the adopted Operational Plan and budget for 2025/26.

**Community Engagement**

During the public exhibition period, a range of activities were undertaken in line with the exhibition engagement plan, which resulted in almost 500 page views of the draft Economic Development Strategy page of the Maitland Your Say website.

*Activities*

Engagement activities were designed to ensure community members and stakeholders were aware of opportunities to review and comment on the consultation drafts, with the following deployed during the period of public exhibition:

- Placement of content on Council's website and Maitland Your Say engagement portal including online submissions
- Media release distributed locally
- Social media posts on Council's Facebook and LinkedIn

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

- Coordinator City and Visitor Economy video inviting the community to provide feedback shared on Facebook and LinkedIn
- Direct email to key stakeholders via Council's business networks
- Digital signage at Council's administration building directing people to the Maitland Your Say engagement portal
- Hard copies of the draft document made available at Council's administration centre, libraries and Visitor Information Centre
- Presentation to visitor economy businesses and stakeholders at the Maitland Visitor Economy Forum held 25 June 2025.

*Maitland Your Say engagement portal*

A project page was developed to provide community members with an overview of the draft EDS and to act as a channel to provide formal online submissions. The Maitland Your Say page had 486 views and 179 document downloads during the public exhibition period.

**Submissions**

A total of 16 submissions were received with overall sentiment demonstrating strong support for the draft strategy. All submissions have been summarised by audience and with Council's response attached. For details on each submission refer to submissions (Attachment 2).

AUDIENCE	QUANTITY	DETAIL (*indicates Letter of Support received)
Public Authorities and Government Agencies	3	<ul style="list-style-type: none"> <li>• Department of Primary Industries and Regional Development*</li> <li>• Hunter Joint Organisation</li> <li>• Regional Development Australia – Hunter*</li> </ul>
Developers, Business and Industry	12	<ul style="list-style-type: none"> <li>• Committee for the Hunter*</li> <li>• Maitland Business Chamber*</li> <li>• It Must Be Morpeth Incorporated*</li> <li>• MCB Business Partners*</li> <li>• EXP Capital*</li> <li>• Australian Rail Track Corporation</li> <li>• The Bloomfield Group*</li> <li>• Local businesses (5)*</li> </ul>
Community	1	N/A

Overwhelmingly, the submissions supported the Economic Development Strategy, with some submissions recommending changes to improve clarity and wording. A key matter raised was in relation to the timing of actions, including relating to our future precincts.

**Amendments**

In consideration of the formal submissions received, and outcomes from internal reviews, the following amendments have been made to the document:

- Enhancements made to the economic/business precinct maps throughout
- Revisions to the indicators tables on pages 45 to 51
- New Economic Development Strategy Indicators tables added - see Appendix 2
- Information added to the Eastern Precinct for Four Mile Creek Precinct (page 34)
- Definitions for short term (<4 years), medium term (5-8 years) and long term (9+ years) in accordance with Council's Delivery Program added to page 31; and various updates made to the economic precincts section as a result (pages 37 to 41)
- Minor spelling and grammar throughout

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

**CONCLUSION**

Over a period of three years, Council has carried out extensive economic research and analysis and in-depth community consultation and engagement. The result is an Economic Development Strategy, aligned with Maitland's Community Strategic Plan, that provides a roadmap to improve community wellbeing, preserve and enhance green spaces, and create a vibrant, self-sustaining economy for generations to come.

It is recommended that Council formally adopt the Draft Economic Development Strategy 2025-2035, to support implementation in line with the adopted Operational Plan and budget for 2025/26.

The adoption of this informing strategy will mark a key significant milestone in the implementation of the Local Strategic Planning Statement (LSPS) and a turning point in Maitland's economic evolution.

**FINANCIAL IMPLICATIONS**

The direct financial impact of this matter has been addressed within Council's adopted operating budget and forward estimates. Having a clear economic roadmap may assist Council in unlocking new financial opportunities and revenue streams that support the long-term, sustainable delivery of the strategy and its supporting plans. Once adopted, the strategy is also expected to assist businesses, industry and the community to attract external public and private investment to strengthen the local economy.

**RISK IMPLICATIONS**

Risk	Risk rating (H,M,L)	Proposed treatment	Proposed risk rating (H,M,L)	Resourcing- within or additional (if additional explain)
There is a risk of the EDS not being adopted which may lead to economic development activities occurring in a disparate and uncoordinated manner.	Medium	Adopt and implement the strategy	Low	Within existing resources
There is a risk of the EDS not being adopted which may lead to Maitland's potential as a destination for business and industry investment not being realised.	Medium	Adopt and implement the strategy	Low	Within existing resources

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

There is a risk of the EDS overlooking an opportunity (i.e. future precinct, emerging industry, other) which may lead to a lack of perceived support for said opportunity.	Low	Review the EDS in line with the IP&R framework on a regular basis to capture emerging trends and opportunities	Low	Within existing resources
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**POLICY IMPLICATIONS**

The Economic Development Strategy will form Council's position on why and how we deliver services to the community that support our people, where they live, our businesses, and how we will work together to achieve our shared vision of a connected city with thriving communities.

The report relates to and is consistent with Councils adopted:

- Brand Management Policy
- Filming Policy
- Outdoor Dining Policy (under review)
- Conflicts of Interest in the Development Process Policy
- Procurement Policy
- Community Grants Program Policy

**STATUTORY/LEGISLATIVE IMPLICATIONS**

There are no statutory implications under the Local Government Act (1993) with this matter.

The preparation of an Economic Development Strategy is a key action identified in Council's LSPS. Once adopted, the strategy will result in amendments to the Maitland Local Environmental Plan (LEP). These amendments will be subject to a future report to Council.



## **City Planning**

### **Adoption of Draft Economic Development Strategy 2025-2035**

### **Submission Assessment Draft Economic Development Strategy 2025- 2035 (EDS)**

**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 7**

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

Submission Assessment - Draft Economic Development Strategy 2025-2035

**Submission Assessment****Draft Economic Development Strategy 2025-2035 (EDS)**

Exhibition period: Friday 23 May – Monday 30 June 2025 (38 days)

CATEGORY	QUANTITY	DETAIL
Public Authorities and Government Agencies	3 submissions	<ul style="list-style-type: none"> <li>Department of Primary Industries and Regional Development</li> <li>Hunter Joint Organisation</li> <li>Regional Development Australia – Hunter</li> </ul>
Developers, Business and Industry	12 submissions	<ul style="list-style-type: none"> <li>Committee for the Hunter</li> <li>Maitland Business Chamber</li> <li>It Must Be Morpeth Incorporated</li> <li>MCB Business Partners</li> <li>EXP Capital</li> <li>Australian Rail Track Corporation</li> <li>The Bloomfield Group</li> <li>Local businesses x 5</li> </ul>
Community	1 submission	N/A

**Overview**

NO	SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE/CHANGE
1	<b>Department of Primary Industries and Regional Development (DPIRD)</b>  <i>An additional Letter of Support was received post exhibition and this has been included.</i>	DPIRD commends Council for developing the draft EDS.	Noted.
		Focus areas of draft EDS aligns with DPIRD's objectives to support and develop regional economies including Hunter Regional Economic Development Strategy 2023 Update, NSW Industry Policy and the NSW Innovation Blueprint.	Noted.
		Adoption of EDS will enhance the economic viability, liveability and growth of Maitland.	Noted.
		DPIRD suggests minor text amendments to the draft Strategy including references to NSW Industry Policy, NSW Innovation Blueprint and NSW Industrial Lands Action Plan.	The draft EDS has been updated to reflect those suggestions.
		DPIRD highlighted the collaboration happening across the Hunter as a strength for our region, and credit the network of Economic Development professionals for their contribution to economic growth.	Noted. It is proposed to establish an Economic Development Sub-Committee under the new City Planning Strategic Advisory Committee.
2	<b>Hunter Joint Organisation (HJO)</b>	HJO acknowledges the draft EDS actions and initiatives align with the draft Hunter JO Strategic Plan 2035, specifically HJO's strategic theme designed to support economic	Noted.

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## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

		<p>transformation and job creation which aims to focus on:</p> <ul style="list-style-type: none"> <li>• Activating the reuse of mining related lands</li> <li>• Leveraging regional and global industries</li> <li>• Evolution towards renewable energy, circular economy and future industries</li> <li>• Business attraction, job creation and future skills development</li> </ul>	
3	<p><b>Regional Development Australia - Hunter (RDA-H)</b></p> <p><i>Letter of Support</i></p>	<p>RDA-H commends Council on our vision for a connected city with thriving communities and supports work to improve community wellbeing, preserve and enhance green spaces, and create a self-sustaining economy for generations to come.</p> <p>Shared priorities include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Develop a skilled, adaptable workforce</li> <li>• Improve connectivity</li> <li>• Drive sustainable and resilient economic growth</li> <li>• Leverage competitive advantages, and</li> <li>• Cultivate creativity and entrepreneurship</li> </ul>	Noted.
4	<p><b>Committee for the Hunter (C4H)</b></p> <p><i>Letter of Support</i></p>	<p>C4H has expressed strong support for draft EDS, praising both its quality and the inclusive approach to its development. The Strategy is seen as well-aligned with the Hunter region's broader economic transition, especially in response to the decline of traditional industries.</p> <p>Key points of endorsement include:</p> <ul style="list-style-type: none"> <li>• Focus on industry development, innovation, and job creation.</li> <li>• Emphasis on place-based strengths and precinct opportunities.</li> <li>• Adoption of a Wellbeing Economy Framework prioritising people and sustainability.</li> <li>• Importance of education, transport, and accessibility, particularly for disadvantaged communities.</li> </ul> <p>The Committee also commended the Strategy's clarity around Council's roles in delivering, partnering, and advocating for priority actions, and confirmed its commitment to supporting implementation through advocacy and partnerships.</p>	Noted.

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

5	<b>Maitland Business Chamber (MBC)</b>  <i>Letter of Support</i>	<p>MBC expresses strong support for Council's draft EDS, commending it as the city's first comprehensive economic plan.</p> <p>MBC praises Council's focus on business development, infrastructure, and community engagement, recognising the strategy's potential to strengthen the local economy.</p> <p>MBC indicates support for planned improvements to public spaces, promotion of tourism, and initiatives to attract investment and create jobs.</p> <p>The Chamber values the strategy's emphasis on future planning, including the development of vibrant commercial and mixed-use precincts.</p> <p>Endorsement is given to the identification of four priority precincts (Central, Eastern, Western, Hinterland) and two future growth areas (Four Mile Creek and Anambah to Branxton), highlighting their alignment with strategic transport and diversification goals.</p> <p>The Chamber looks forward to ongoing collaboration with Council to support the strategy's implementation and achieve a shared vision for a thriving Maitland.</p>	Noted.
6	<b>It Must Be Morpeth Incorporated (IMBM)</b>  <i>Letter of Support</i>	<p>IMBM's strong supports for Council's EDS and acknowledges the benefits of their ongoing partnership with Council, particularly in marketing Morpeth, and sees the strategy as a solid and balanced plan to enhance Maitland's economic strength, liveability, and sustainability.</p> <p>The letter commends the Strategy's focus on:</p> <ul style="list-style-type: none"> <li>• Building future skills and employment pathways,</li> <li>• Creating connected, vibrant public spaces,</li> <li>• Encouraging innovation and business diversity, and</li> <li>• Prioritising local-first, equitable partnerships.</li> </ul> <p>IMBM indicates the Strategy aligns with a shared vision for a thriving, connected community and commits the association's ongoing support for its implementation.</p>	Noted.
7	<b>MCB Business Partners (MCBBP)</b>	<p>MCBBP strongly supports Council's draft EDS, especially its focus on building a "wellbeing economy."</p>	Noted.

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

	<i>Letter of Support</i>	<p>MCBBP commends the Strategy's alignment with their values and highlight the "People and Future Skills" strategic priority as essential for Maitland's sustainable growth.</p> <p>Key points of endorsement include:</p> <ul style="list-style-type: none"> <li>• Education Pathways: Support for increasing youth participation in education and aligning learning with future workforce needs.</li> <li>• Skills Development: Backing efforts to train the workforce in emerging industries such as clean energy, health, and advanced manufacturing, with an emphasis on lifelong learning and reskilling.</li> <li>• Local Access to Work: Endorsement of initiatives to expand local job opportunities and reduce commute times to improve work-life balance.</li> </ul> <p>The letter concludes by affirming that true economic growth must include community wellbeing and inclusive development, particularly by investing in young people.</p>	
8	<p><b>EXP Capital Australia PTY Ltd (EXP)</b></p> <p><i>Letter of Support</i></p>	<p>EXP commends Council for its forward-thinking EDS and recognises that their positive partnership with Council has reinforced their long-term commitment to the region through the Dalmore Park project— a sustainable, inclusive development set to deliver lasting benefits for the Maitland community.</p>	Noted.
9	<p><b>Australian Rail Track Corporation (ARTC)</b></p>	<p>ARTC commends on the effort and energy that has gone into developing this, particularly the breadth of stakeholder engagement undertaken to shape the strategy.</p> <p>ARTC supports the proposed strategy and looks forward to ongoing engagement as it progresses.</p>	Noted, Council will continue to work with the ARTC for future planning of Four Mile Creek Growth Area.
10	<p><b>The Bloomfield Group</b></p> <p><i>Letter of Support</i></p>	<p>Bloomfield supports the draft EDS, particularly its vision and four strategic pillars, which align with their values and future plans.</p> <p>Bloomfield sees strong potential for the Four Mile Creek Precinct to support all four pillars of the strategy, including skills development, industrial and residential growth, clean energy, and collaboration.</p> <p>Bloomfield welcomes the precinct's inclusion in the draft EDS and look forward to continuing their partnership with Council to</p>	Noted

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

		help deliver long-term economic and community benefits.	
11	<p><b>Local business #1</b> (professional services)</p> <p><i>Letter of Support, provided commercial in confidence.</i></p>	<p>Suggests that the strategic planning directions for the Eastern Precinct should be strengthened to:</p> <p>a) Specifically reference Four Mile Creek as a priority area for post mining rezoning and employment-generating land uses.</p> <p>b) Acknowledge the short-term readiness of portions of the site.</p> <p>Update the commentary on page 34.</p>	<p>a) Noted - add text to page 34 (Eastern Precinct): As part of the proposed Employment Land Strategy, the Four Mile Creek Precinct will be further investigated for its potential to repurpose former mining land and existing infrastructure, supporting a transition to diverse and future-focused land uses.</p> <p>b) Council will continue to work collaboratively with the Bloomfield Group to plan for post-mining land uses.</p> <p>Added text to page 34 as above.</p>
		<p>d) Suggests to amend draft EDS timing to 'short to long term' to improve clarity and better guide implementation.</p> <p>e) Suggests to add 'rezoning of land' or 'partial rezoning'.</p>	<p>c) The draft EDS has been updated to reflect this.</p> <p>Council is in the process of developing its Local Urban Development Program (LUDP) to monitor the supply of residential and employment land across the city. Identification of any additional employment land and determination of timing is subject to finalisation of Council's Employment Land Strategy.</p>
		<p>Suggest to include clear timeframe definitions to support delivery planning and progress monitoring:</p> <ul style="list-style-type: none"> <li>• Short Term: 0–5 years</li> <li>• Medium Term: 5–10 years</li> <li>• Long Term: 10–20 years</li> </ul>	<p>In accordance with the Council's Delivery Program the proposed timeframes are as follows:</p> <ul style="list-style-type: none"> <li>• Short term: &lt;4 years</li> <li>• Medium term: 5 – 8 years</li> <li>• Long term: 9&gt; years</li> </ul>
12	<p><b>Local business #2</b> (accommodation)</p>	<p>The Eastern Precinct fails to acknowledge Morpeth as a key economic driver in the tourism and lifestyle section and suggests that Morpeth is a draw card for the LGA for day visitation and overnight stays.</p>	<p>Morpeth is factored into the 'Hinterland' as opposed to the 'Eastern' precinct. The Hinterland boasts significant rich natural assets, strong agricultural heritage and significant economic potential.</p>

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

			It is acknowledged that there is a strong alignment between Morpeth and the Eastern precinct encompassing East Maitland, Thorton, Chisholm and Tenambit, particularly from a tourism and lifestyle perspective.
13	<b>Local business #3</b> (shopping centre)	The key to strong delivery of the strategy, will be building the community health & safety particularly when it comes to addressing education and awareness of what is sociably acceptable.	Noted.
14	<b>Local business #4</b> (retail)	Seeks clarification around the role and content of draft EDS and  Questions around the role, intents and implementation of EDS and indicates preference for a more detailed strategy.	Maitland's draft EDS offers a roadmap to improve community wellbeing, preserve and enhance green spaces, and create a vibrant, self-sustaining economy for generations to come. Indicators are identified in this EDS will use to track progress and guide future decisions.
15	<b>Local business #5</b> (professional services)	Indicates a mismatch between the draft EDS and the draft DCP 2025 in respect to the provisions of housing in Central Maitland and Lorn.	Community and other stakeholder feedback plays a crucial role in shaping the final version of the EDS and DCP. Any inconsistencies between these plans will be addressed before finalisation. Therefore, this matter will be referred to the DCP working group for further consideration.  In addition, Council has committed to regular reviews of the DCP as new plans, policies and strategies are adopted by Council. Outcomes of the EDS will feed into a future update of the DCP to ensure consistency.
		Raises concerns around previous engagement activities undertaken to inform the draft EDS.	An extensive stakeholder engagement was undertaken in preparation of the draft EDS. Refer to page 21 of the draft EDS for more information.
		Highlights the importance of future planning for Central Maitland and acknowledges that: <ul style="list-style-type: none"> <li>• A wellbeing economy focuses on fostering relationships and building active participation in community life. Central</li> </ul>	In 2009, Council adopted the Central Maitland Structure Plan (CMSP), which sets out an ambitious vision for Central Maitland, aiming for 'residential led recovery' and setting a target of a return to its pre-

## ADOPTION OF DRAFT ECONOMIC DEVELOPMENT STRATEGY 2025-2035 (Cont.)

## Submission Assessment - Draft Economic Development Strategy 2025-2035

		<p>Maitland has the potential to create inclusive and connected communities within walking distance to social infrastructure. The draft EDS should support the development of these communities through additional population growth.</p> <ul style="list-style-type: none"> <li>• The draft EDS supports affordable housing. The best place for this is in Central Maitland as Central Maitland is generously supplied with facilities, including public transport.</li> <li>• Council's land use planning policies should support the growth of communities in align with the draft EDS.</li> <li>• The central precinct is the heart of Maitland and 'opportunities for urban renewal'.</li> <li>• Council planning policies should reflect the draft EDS and ensure such plans facilitate a 'lively, engaging atmosphere that attracts residents ...'</li> <li>• Central Maitland Structure Plan has driven the gentrification of Maitland. The high-level evacuation route is required but improved flood preparedness, driven by council taking on a more pivotal role in flood management.</li> </ul>	<p>1955 population of 5,500 residents by adding 3,700 new residents to the CBD by 2030.</p> <p>The CMSP 2009 has been helped to reshaping the Central Maitland. Over the past decade, Council has continued to invest in Central Maitland including the completion of The Levee and the Riverlink building; opening of the MRAG and MAC; upgrading of transport hub at Maitland Station, upgrading of No. 1 Sports Ground and Harold Gregson Park; major road upgrades such as Athel D'Ombra Drive and Allan Walsh Drive.</p> <p>In 2015, Council adopted the Hunter River Floodplain Risk Management Study and Plan 2015 (FRMSP) and has identified future investigations into a high-level evacuation route to Central Maitland/Lorn as a priority action. Council has completed a Preliminary Options and Feasibility Assessment for Central Maitland and Lorn Flood Evacuation Route.</p> <p>Increasing the population in Central Maitland/Lorn will incrementally increase risk to life. Therefore, future residential development in Central Maitland depends on securing a high-level flood evacuation route. The decision on a high-level evacuation route (i.e. feasibility, funding, timeframe) will be determined as a part of the forthcoming FRMSP.</p> <p>The new FRMSP will be released for public comment in 2026. Council is advocating for funding from the State and Federal Governments for this.</p>
16	Community	Raises concerns of lack of infrastructure and increased traffic congestion.	Noted.



### 11.3 DA/2024/568 for Rural Industry – Demolition of Existing Structures, Construction of Three Sheds at 41 Cracknell Lane South Maitland

FILE NO:	DA/2024/568
ATTACHMENTS:	<ol style="list-style-type: none"> <li>1. Locality Plan</li> <li>2. Development Plans</li> <li>3. Assessment Report (Under Separate Cover)</li> <li>4. Recommended Reasons for Refusal</li> <li>5. Submission</li> </ol>
RESPONSIBLE OFFICER:	Director City Services Coordinator Planning & Development Principal Planner
AUTHOR:	Senior Development Planner
APPLICANT:	Hill Top Planners Pty Ltd
OWNER:	Benjamin Ross Morgan and Kristy Lee Morgan
PROPOSAL:	Rural Industry – demolition of existing structures and construction of three sheds
LOCATION:	41 Cracknell Lane, South Maitland 2320 (Lot 16 DP 701499 and Lot 17 DP 701499)
ZONE:	RU1 Primary Production Zone

#### EXECUTIVE SUMMARY

*A Development Application (DA/2024/568) has been lodged seeking consent for a Rural Industry with demolition of existing structures and construction of three sheds at 41 Cracknell Lane, South Maitland (refer to **Attachment 1** for the Locality Plan and **Attachment 2** for the Plans).*

*The subject site is zoned RU1 Primary Production under the Maitland Local Environmental Plan (MLEP) 2011. Rural Industries are permitted in the zone with consent in the RU1 zone.*

*The application is being reported to Council for determination due to Councillor Jordan with the support of Mayor Penfold and Councillor Penfold calling up the Development Application.*

*The application was publicly notified for a period of 14 days from 29 July to 12 August 2024 in accordance with the Environmental Planning and Assessment (EP&A) Act 1979 and Community Participation Plan (CPP). One submission of objection was received during the exhibition period. The issues raised in the submission relate to the inconsistency with the zoning, character of the area, tree removal, noise impacts and the scale of the development. The concerns raised by the objector are discussed in further detail in the body of this report.*

DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

*The site is not considered suitable for the proposed development, as it lacks an adequate stormwater management system and relies on a local road network that does not have the capacity to support the additional demand. The proposal also raises concerns regarding noise impacts and filling in flood-prone land, both of which have not been properly addressed within the submitted documentation. Given the broader issues with the proposal, it is not considered appropriate to request further information. The development is likely to place an unreasonable burden on the road network and adversely impact surrounding properties.*

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

## **OFFICER'S RECOMMENDATION**

### **THAT**

- 1. DA/2024/568 for Rural Industry – Demolition of one existing structure and construction of three sheds at 41 Cracknell Lane, South Maitland is refused for the reasons provided in Attachment 4 of this report.**

## **INTRODUCTION**

The purpose of this report is to determine DA/2024/568 for 'Rural Industry – Demolition of one existing structure and construction of three sheds' at 41 Cracknell Lane, South Maitland.

The matter has been called to Council for determination on 15 July 2025. The application received one objection during the assessment process.

A detailed assessment in accordance with Section 4.15 of the EP&A Act 1979 is provided within **Attachment 3** of this report.

## **BACKGROUND**

There are no development approvals currently in place for the existing use on the site. However, a business is actively operating on the premises. In 2022, Council's Compliance Team investigated an allegation of an unauthorised mechanical workshop at the subject site. While no conclusive evidence was found at that time, more recent aerial imagery shows increased activity. Site observations and vehicle signage—such as "MPE" and "MPE Repairs" suggest that a mechanical workshop was operating on-site, with further confirmation obtained through online listings indicating a mobile workshop service based in South Maitland.

Investigations were reopened in October 2023 following complaints regarding unapproved heavy vehicle mechanical works, excessive noise, dust from sandblasting, and road impacts caused by heavy vehicles. These concerns included congestion and damage to the narrow access roads. In response, the landowner engaged a town planning consultant who subsequently lodged this development application for 'Rural Industry'.

DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## SITE DESCRIPTION

The legal description of the land to which the development is to be carried out is Lot 16 DP 701499 and Lot 17 DP 701499, known as 41 Cracknell Lane, South Maitland.

Lot 16 DP 701499 comprises an area of 852m<sup>2</sup>. The site currently contains a covered workshop, several shipping containers, and a mix of native and exotic vegetation. It does not have legal access to road frontage or easement for access to Cracknell Lane.

Lot 17 DP 701499 has an area of 2,468m<sup>2</sup> and slopes from the south towards the east. The lot features a gravel access track, multiple outbuildings, and machinery.

The subject land is zoned RU1 Rural Industry under the MLEP 2011. The subject sites are not connected to water or sewer.

Pender Road is an unsealed road, with a trafficable carriageway width of 4 metres with no kerbing. Cracknell Lane (Pender Road to Cultivation Lane) is a 5.6 metres wide sealed road, with kerbing on the southern side only. Cracknell Lane (Cultivation Lane to Anzac Street) is 7.6 metres wide sealed road, with kerbing on both sides.

It is noted that a nearby development (DA08-1273) at 19 Pender Road (Lot 400 DP 1008915, now identified as 15 Pender Road, Lot 101 DP1173937) for a 'vehicle repair station' was approved on 18 December 2008. The approval included a condition requiring the extension of the existing bitumen seal along Cracknell Lane to ensure site access did not rely on gravel roads. The consent was restricted to light vehicles only (cars and 4WDs).



Figure 1 – Aerial Photograph of subject site (Source – NSW Department of Planning Spatial viewer)

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## PROPOSAL

The development application involves:

- Removal of shipping containers and demolition of covered structures and sheds.
- Removal of 12 trees and the pruning of 10 trees.

Construction of three (3) detached sheds including:

- Workshop 1 a 12m x 28m (336m<sup>2</sup>) concrete slab walls and metal roof.
- Workshop 2 a 12m x 18.2m (216m<sup>2</sup>) with mezzanine (54.5m<sup>2</sup>) and an office and reception on the ground level of the building.
- Workshop 3 a 12m x 24m (288m<sup>2</sup>) with mezzanine (114.3m<sup>2</sup>).
  - All three buildings have a sink, toilet and shower amenities.
- Wash Bay 8m x 10m (80m<sup>2</sup>).
- 3 x 10,000L above ground water tanks.
- Vehicle parking for 12 vehicles constructed as hardstand gravel.
- Planting of 15 Swamp mahogany trees.

The buildings will be used for rural industry, specialising in the maintenance of farm equipment and repairs to private rural infrastructure. The proposal states a total of 20 staff with 10 staff working on the site with the other 10 staff off-site servicing machinery. The off-site staff will visit the site on average 3 times a day to get parts and receive details of their next jobs. On average, 3 to 4 pieces of farm equipment are delivered or leave the site each day. These items are generally delivered by a flatbed truck up to 10.5m in length. For large equipment, a 12.5m flatbed truck is utilized. The sheds can accommodate up to 13 items of machinery of various sizes and store 8 items of plant.

The proposal seeks the following operational hours:

- Monday to Friday - 7am to 5pm;
- Saturdays - 8am to 3pm; and
- Sundays / Public Holidays – Closed.

## KEY ISSUES

The key issues of relevance to this Council report have been provided below. A detailed assessment of the Development Application is provided in the Assessment Report under **Attachment 3**.

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

### **Road Network and Traffic Impact**

Vehicle access to the site is proposed directly from Cracknell Lane. The Traffic Report indicates that traffic would be split evenly between Cracknell Lane and Pender Road. The Report also identifies the use of a 12.5-metre heavy rigid vehicle. Swept path diagrams have not been provided to demonstrate that such a vehicle can safely and conveniently enter and exit the site via Cracknell Lane or Pender Road.

The existing condition of Cracknell Lane does not provide safe or adequate access for the nominated design vehicle in accordance with Australian Standard 2890.2. Additionally, the existing driveway appears to be approximately 7.3 metres wide, substantially less than the estimated 12.5 metres likely required for this scale of development.

Cracknell Lane in its current form is not suitable without significant upgrades, including road widening and associated construction works, which would also result in a loss of on-street parking. Pender Road presents similar concerns. It is currently unsealed and approximately 4 metres wide, making it unsuitable for access by the nominated design vehicle under Australian Standard 2890.2.

Council staff do not support the Traffic Report's conclusion that the existing road network can safely accommodate the anticipated traffic volumes. There are no plans to upgrade or seal Pender Road, and Cracknell Lane has not been identified in Council's long-term strategic plans for road widening. Given the limitations of both roads, it is considered that the existing local road network lacks the capacity to support the proposed development. The scale and nature of the proposal is therefore likely to have an adverse impact on surrounding infrastructure.

### **Noise Impact**

The acoustic assessment does not consider the proponent's own residence at 37 Cracknell Lane, South Maitland, as a sensitive residential receptor. The report provides distances to the nearest residences; however, it is unclear how these distances were measured. The Noise Policy for Industry (NPI) requires distances to be taken from the nearest residential boundary or the most affected point, and measurements using Council's mapping suggest this has not been accurately done. Furthermore, the report does not specify whether the noise assessment assumed workshop roller doors and windows to be open or closed, which can significantly affect noise outcomes. Lastly, the specific use of each workshop has not been clearly detailed, only assumptions are made, which limits the reliability of the assessment. Given the unresolved matters outlined above, Council cannot be satisfied that the proposal will not result in adverse noise impacts.

### **Stormwater**

Stormwater from the proposed sheds will be directed into 3 x 10,000 litre stormwater detention tanks, which will discharge into an existing on-site detention pond. The overflow from the pond (i.e. overflow discharge point) is not identified on the plan and does not demonstrate a legal point of discharge. The use of an absorption pit is also not supported, as the likely presence of an underlying clay layer would limit infiltration and render the pit ineffective. An adequate stormwater management system has not been provided to support the proposed development. Given the broader issue of the road network, it was not considered appropriate to pursue further information in this regard.

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

### **Filling and Earthworks in Flood Prone Land**

The subject site is affected by 1% AEP flood extent with flood level 9.73m AHD. The depth of flow ranges between 3.6m - 4.8m and velocity ranges between 0m/s and 0.42 m/s. The entire site is classified as High Hazard and Flood Storage Area. The proposal seeks to importation of 1,000m<sup>3</sup> of fill to a depth of up to 1.2 metres. A Flood Impact Assessment has not been provided to demonstrate the proposal is compatible with the flood function on the land.

The applicant advises that the site contains no flood free land, Workshops 1 and 3 contain mezzanine levels above the 1% flood level for the storage of goods during times of major flooding. However, Workshop 2 includes office, reception and hallway which have not been constructed above Flood Planning Level (FPL), in accordance with MDCP Part B3 – General Building Requirements. The proposed plans show the concrete slab constructed at RL 6.2 which does not satisfy the requirements of the MDCP 2011.

Whilst the fill plan suggests that filling will not extend to property boundaries or fences, it does not include critical information such as dimensions, batter slopes, or gradients. As such, it is not possible to assess the potential impact on the existing or likely amenity of neighbouring properties. The submitted documentation does not include modelling or reporting on the potential implications for flooding and drainage associated with the importation of fill material. The proposal has not adequately considered cumulative impacts and whether there would be any changes to flooding on adjacent properties for both local runoff and regional riverine events.

The proposal provides insufficient evidence to demonstrate that appropriate flow paths have been incorporated to ensure stormwater runoff can be conveyed around and past the proposed development without adversely affecting adjacent land.

### **Servicing**

The site is not serviced by reticulated water or sewer infrastructure. The applicant proposes to extend these services from Cracknell Lane; however, a 'Notice of Formal Arrangements' from Hunter Water has not been submitted. Additionally, no trade waste agreement has been provided, preventing Council from determining whether the proposal aligns with the submitted Waste Management Plan.

In summary, the development has failed to demonstrate that it will not place an unreasonable burden on existing infrastructure, services, or adjoining land.

### **PUBLIC SUBMISSIONS**

The application was placed on public exhibition for a period of 14 days from 29 July 2024 to 12 August 2024 in accordance with the legislative requirements. During this time one submission was received. The submission raised concerns on the scale of the proposed development, its consistency in the rural zoning, the extent of tree removal proposed, noise impacts and extent of proposed structures on the site.

A detailed response to the submission is provided in the Planners assessment report found in **Attachment 3**. A copy of the submission is provided in **Attachment 5**.

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

## POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

## STATUTORY IMPLICATIONS

Statutory considerations relevant to the assessment of the application, including the EP&AA 1979, applicable State Environmental Planning Policies, the MLEP 2011, the MDCP 2011, and other relevant legislation and guidelines, have been addressed in the body of this report (refer to **Attachment 3**).

## CONCLUSION

The application has been assessed under Section 4.15(1) of the EP&A Act 1979. The proposed development is inconsistent with the MLEP 2011 and MDCP 2011. The scale and nature of the proposal will have an adverse impact on the surrounding infrastructure and is not considered in the public interest. As such, the application is recommended for refusal for the following reasons (as provided in **Attachment 4**).

1. The proposal does not provide sufficient information to satisfy the Maitland Local Environmental Plan 2011 as follows:
  - a. Clause 1.2 - Aims of Plan (flooding);
  - b. Clause 5.21 - Flood planning;
  - c. Clause 7.2 - Earthworks.
2. The proposed development is inconsistent with the provisions of the following chapters under the Maitland Development Control Plan 2011. Specifically, the development has not satisfactorily demonstrated the development is in accordance with:
  - a. Chapter B.2 - Domestic Stormwater;
  - b. Chapter B.3 Hunter River Floodplain:
    - I. Section 2.1 Development below the Flood Planning Level (FPL);
    - II. Section 2.3 Filling of Flood Storage and Flood Fringe Areas;
    - III. Section 2.3 General Building Requirements;
  - c. Chapter B.6 - Waste Not - Site Waste Minimisation and Management;
  - d. Chapter C.11 Vehicular Access and Car Parking.
3. The proposal is not supported on acoustic impacts grounds due to insufficiencies in the submitted acoustic report which fails to demonstrate that the development will not have an unacceptable, adverse or irreversible noise impact on adjoining properties.

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

4. The proposed access arrangements from Cracknell Lane and Pender Road do not comply with Council's Manual of Engineering Standards or Australian Standard AS2890.2. The design is considered unsafe and would impose an unreasonable burden on the surrounding road network, demonstrating that the site is unsuitable for the proposed development and will have a detrimental impact to traffic networks.
5. The proposal fails to obtain an easement for drainage purposes, fails to demonstrate an overflow discharge point and fails to provide an appropriate stormwater management system for the proposal.
6. The application is considered unacceptable in that the development is not within the public interest.
7. The applicant has submitted inadequate information as follows:
  - a. A Flood Impact Assessment has not been provided to address the proposed importation of 1,000m<sup>3</sup> of fill within a flood storage area.
  - b. The fill plan lacks essential detail, including dimensions, batter slopes, gradients, and defined flow paths.
  - c. The stormwater management plan proposes an absorption pit, which is not supported due to likely soil limitations affecting infiltration.
  - d. The overflow discharge point and a legal point of discharge have not been clearly identified.
  - e. A Notice of Formal Arrangements has not been submitted for the proposed extension of sewer and water services.
  - f. A trade waste agreement is absent, preventing assessment of compliance with the submitted Waste Management Plan.
  - g. Manoeuvring plans do not demonstrate safe access for the design vehicle via the existing road network, including Cracknell Lane and Pender Road.
  - h. Pedestrian access and customer safety considerations have not been addressed.
  - i. Turning templates indicate possible conflict between reversing vehicles and pedestrian movements.
  - j. Compliance with AS2890.2 has not been confirmed, and it is unclear whether additional measures such as road widening or parking restrictions are required or feasible.
  - k. The site lacks adequate bushfire protection infrastructure, including a reticulated water supply and appropriate emergency access routes
  - l. Potential noise impacts on surrounding properties have not been adequately addressed, and the extent of any adverse effects remains undetermined.



DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## **City Planning**

# **DA/2024/568 for Rural Industry - Demolition of Existing Structures, Construction of Three Sheds at 41 Cracknell Lane South Maitland**

## **Locality Plan**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 1**

DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS  
AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)



DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS  
AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## **City Planning**

# **DA/2024/568 for Rural Industry – Demolition of Existing Structures, Construction of Three Sheds at 41 Cracknell Lane South Maitland**

## **Development Plans**

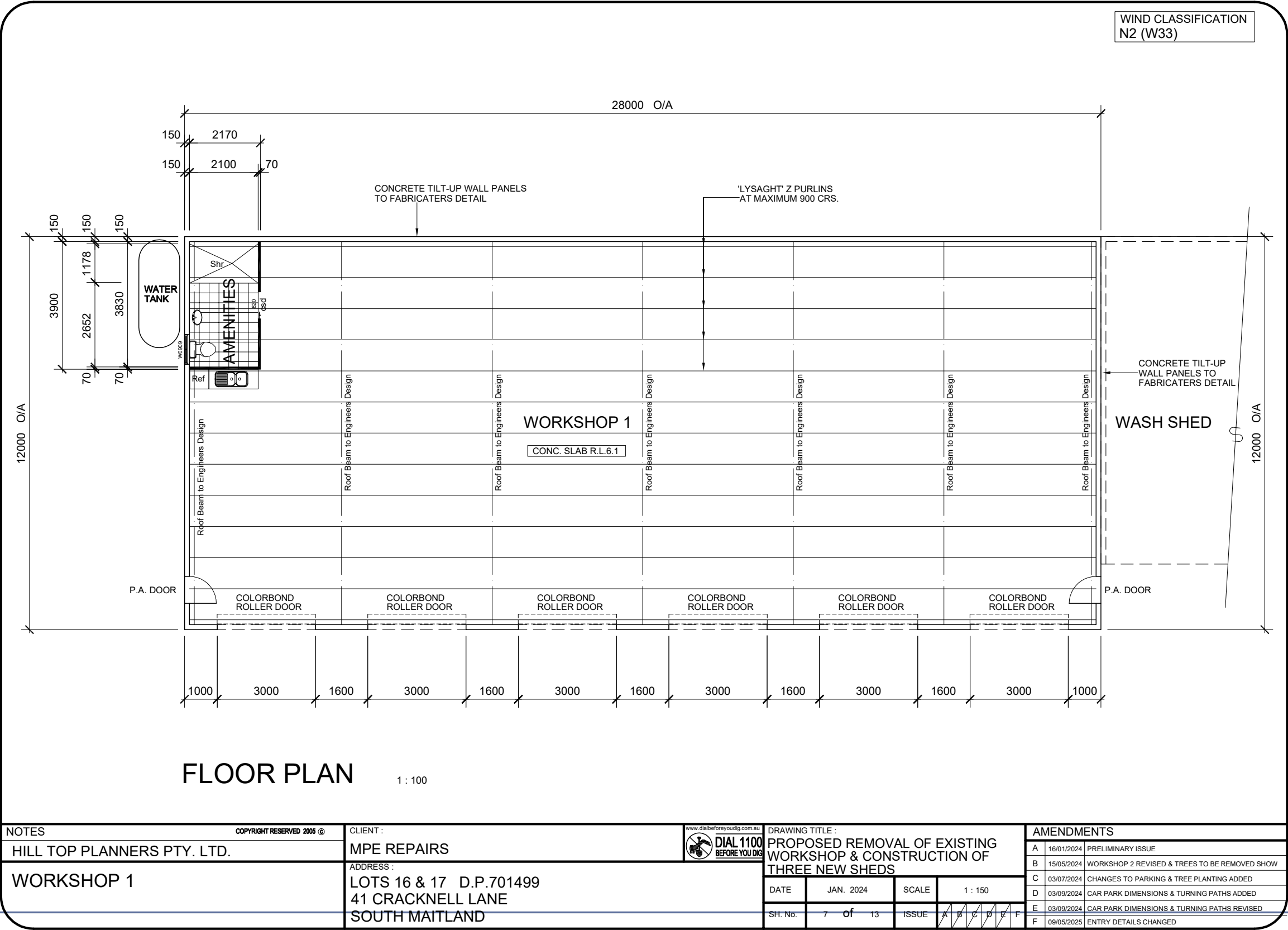
**Meeting Date: 16 September 2025**

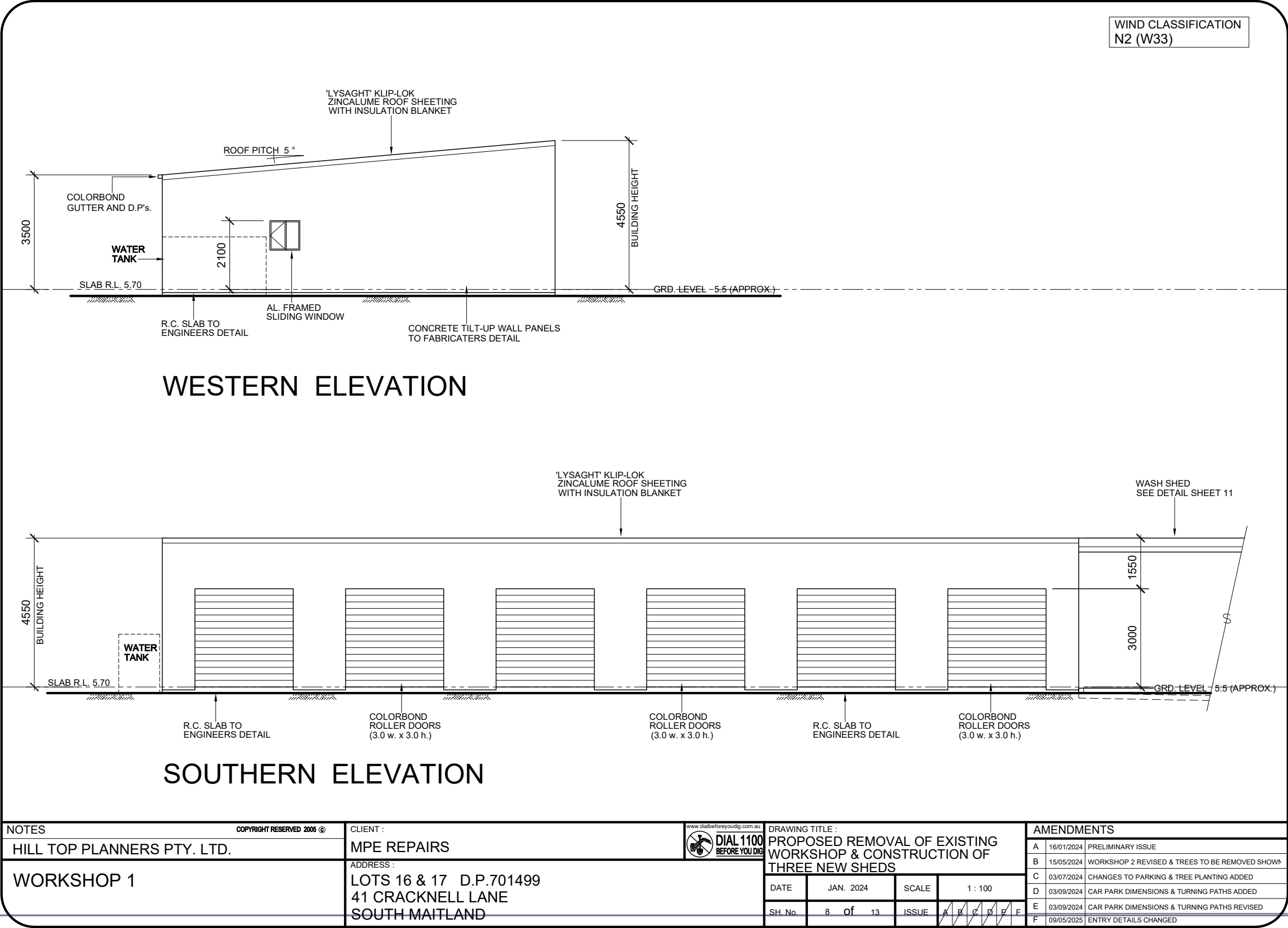
**Attachment No: 2**

**Number of Pages: 10**

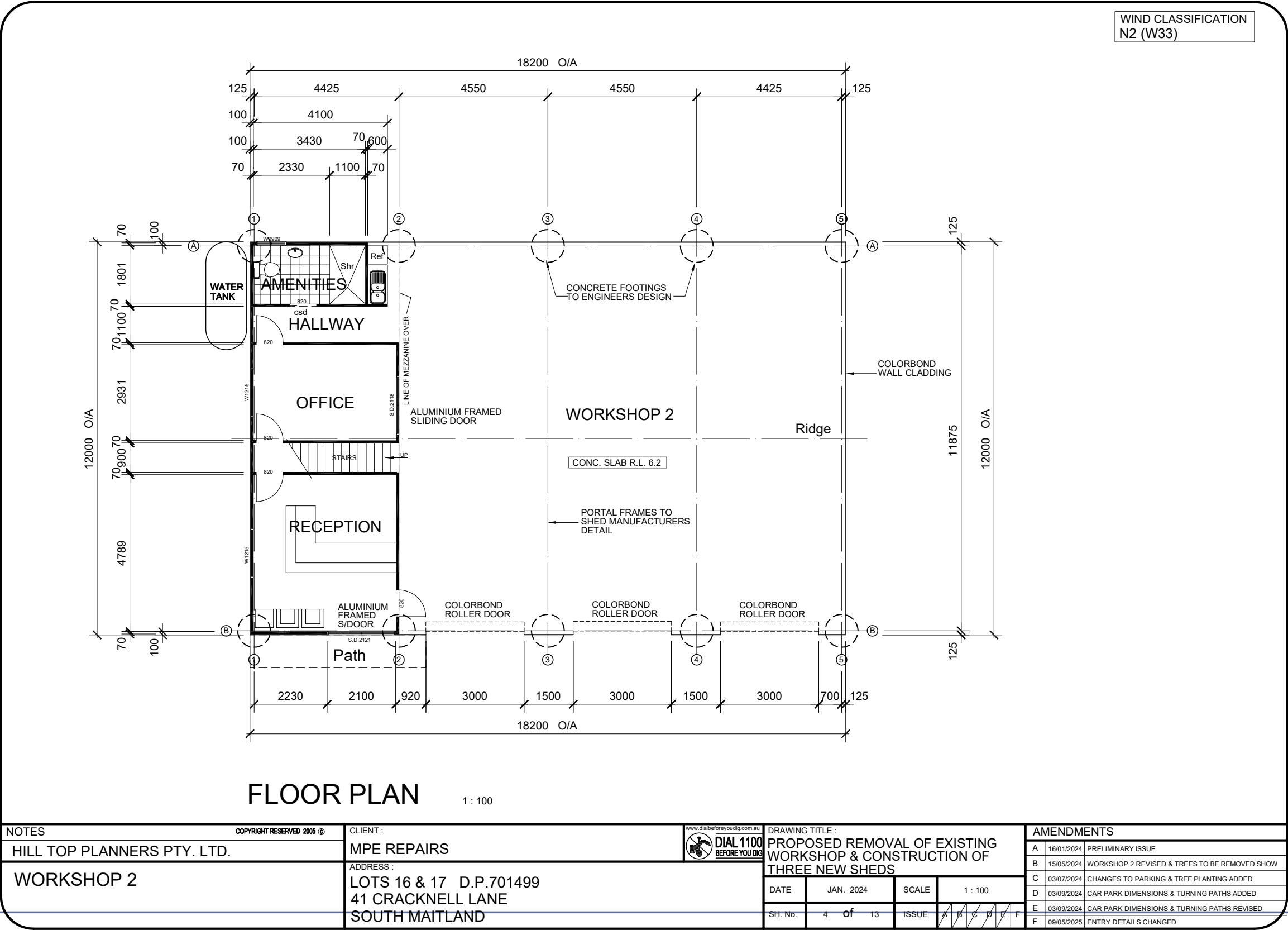










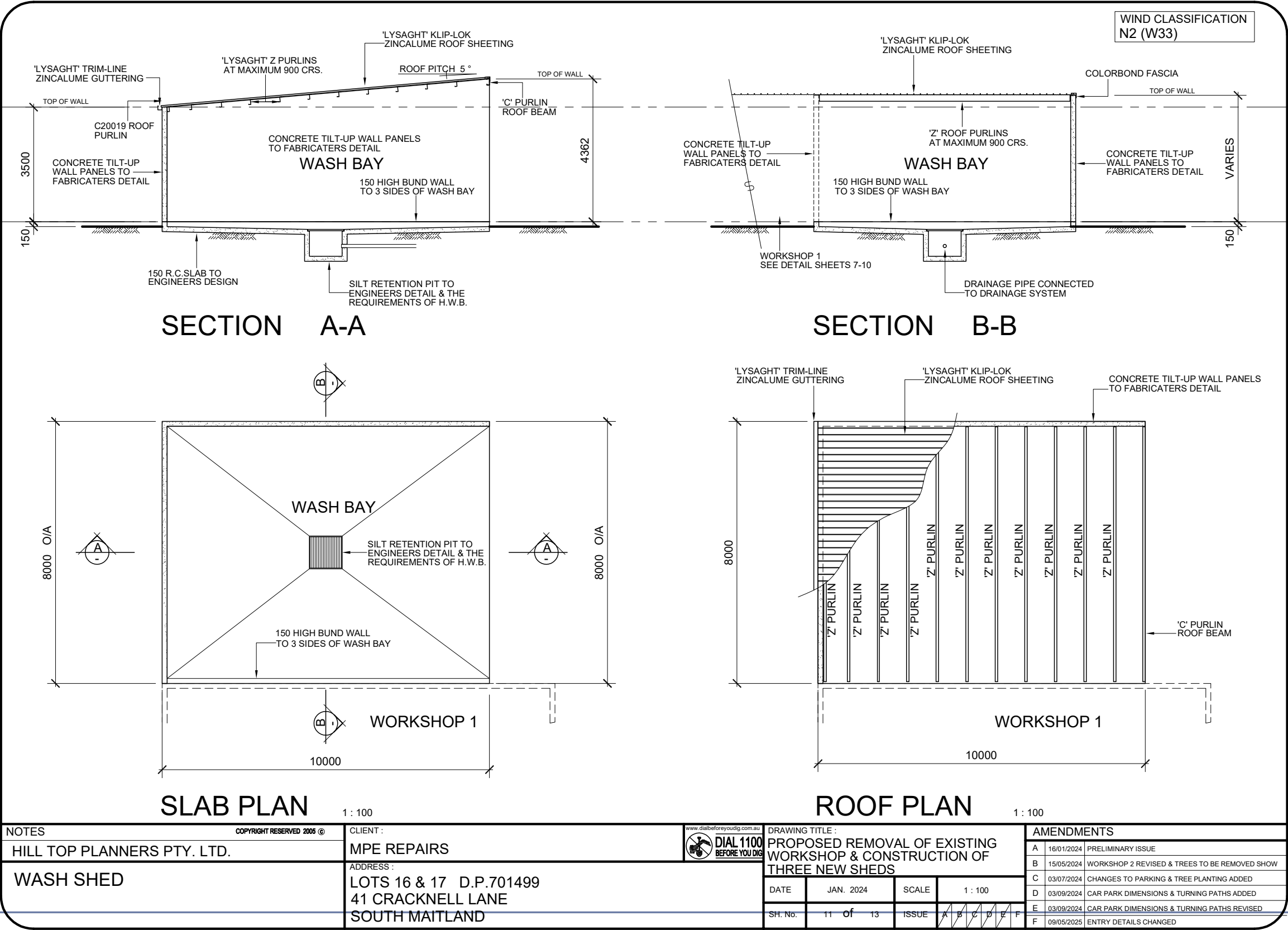


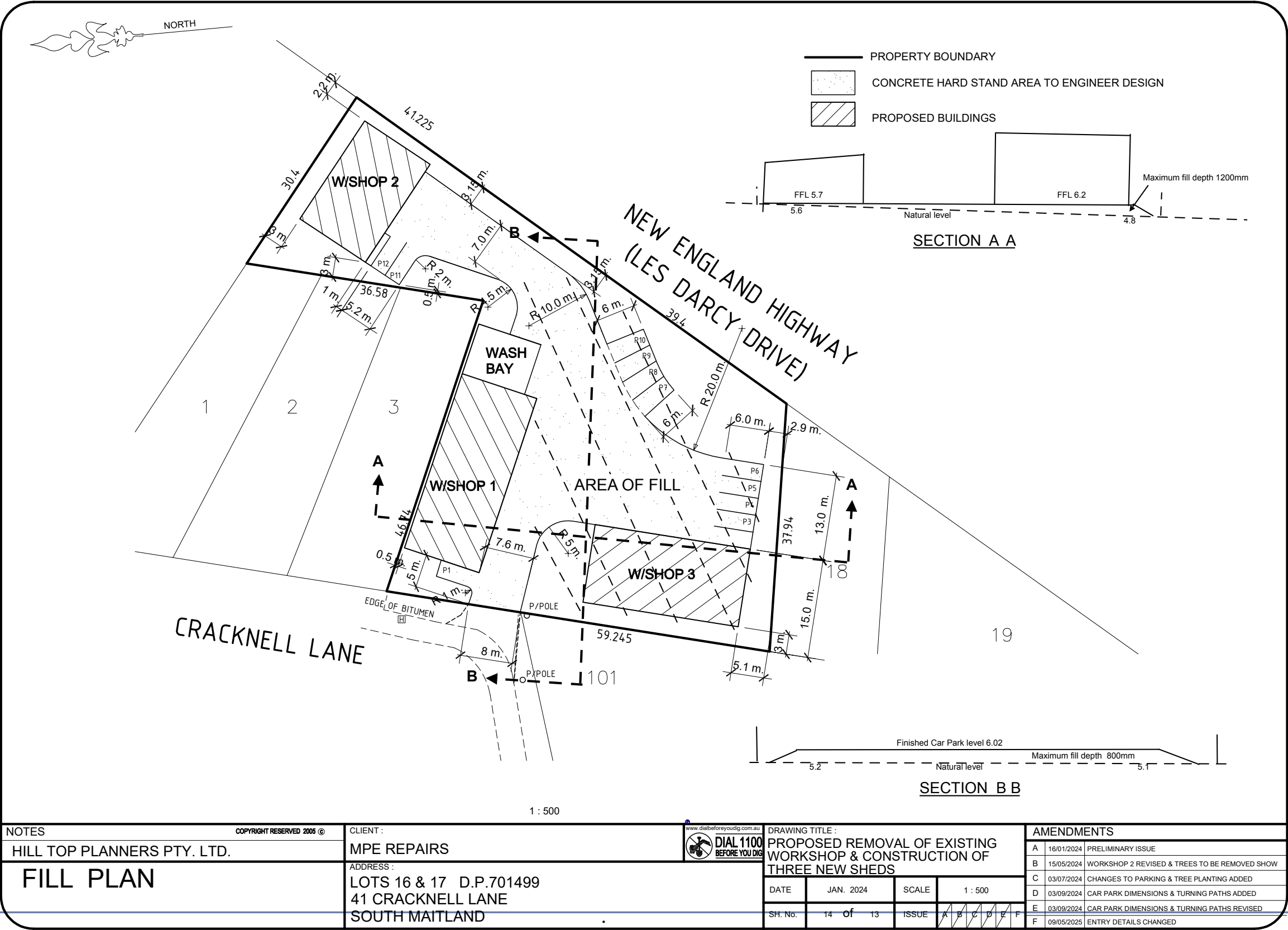












## **City Planning**

# **DA/2024/568 for Rural Industry – Demolition of Existing Structures, Construction of Three Sheds at 41 Cracknell Lane South Maitland**

## **Recommended Reasons for Refusal**

**Meeting Date: 16 September 2025**

**Attachment No: 4**

**Number of Pages: 2**



#### Attachment 4 – Recommended Reasons for Refusal

1. The proposal does not provide sufficient information to satisfy the Maitland Local Environmental Plan 2011 as follows:

- a. Clause 1.2 - Aims of Plan (flooding);
- b. Clause 5.21 - Flood planning;
- c. Clause 7.2 – Earthworks.

[Section 4.15(1)(a)(i) Environmental Planning and Assessment Act 1979]

2. The proposed development is inconsistent with the provisions of the following chapters under the Maitland Development Control Plan 2011. Specifically, the development has not satisfactorily demonstrated the development is in accordance with:

- a. Chapter B.2 – Domestic Stormwater;
- b. Chapter B.3 Hunter River Floodplain:
  - I. Section 2.1 Development below the Flood Planning Level (FPL);
  - II. Section 2.3 Filling of Flood Storage and Flood Fringe Areas;
  - III. Section 2.3 General Building Requirements;
- c. Chapter B.6 – Waste Not – Site Waste Minimisation and Management;
- d. Chapter C.11 Vehicular Access and Car Parking.

[Section 4.15(1)(a)(iii) Environmental Planning and Assessment Act 1979]

3. The proposal is not supported on acoustic impacts grounds due to insufficiencies in the submitted acoustic report which fails to demonstrate that the development will not have an unacceptable, adverse or irreversible noise impact on adjoining properties.

[Section 4.15(1)(b) Environmental Planning and Assessment Act 1979].

4. The proposed access arrangements from Cracknell Lane and Pender Road do not comply with Council's Manual of Engineering Standards or Australian Standard AS2890.2. The design is considered unsafe and would impose an unreasonable burden on the surrounding road network, demonstrating that the site is unsuitable for the proposed development and will have a detrimental impact to traffic networks.

[Section 4.15(1)(c) and Section 4.15(1)(b) Environmental Planning and Assessment Act 1979]

5. The proposal fails to obtain an easement for drainage purposes, fails to demonstrate an overflow discharge point and fails to provide an appropriate stormwater management system for the proposal.

[Section 4.15(1)(c) Environmental Planning and Assessment Act 1979].

6. The application is considered unacceptable in that the development is not within the public interest.

[Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979].

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DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS  
AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

7. The applicant has submitted inadequate information as follows:
- a. A Flood Impact Assessment has not been provided to address the proposed importation of 1,000m<sup>3</sup> of fill within a flood storage area.
  - b. The fill plan lacks essential detail, including dimensions, batter slopes, gradients, and defined flow paths.
  - c. The stormwater management plan proposes an absorption pit, which is not supported due to likely soil limitations affecting infiltration.
  - d. The overflow discharge point and a legal point of discharge have not been clearly identified.
  - e. A Notice of Formal Arrangements has not been submitted for the proposed extension of sewer and water services.
  - f. A trade waste agreement is absent, preventing assessment of compliance with the submitted Waste Management Plan.
  - g. Manoeuvring plans do not demonstrate safe access for the design vehicle via the existing road network, including Cracknell Lane and Pender Road.
  - h. Pedestrian access and customer safety considerations have not been addressed.
  - i. Turning templates indicate possible conflict between reversing vehicles and pedestrian movements.
  - j. Compliance with AS2890.2 has not been confirmed, and it is unclear whether additional measures such as road widening or parking restrictions are required or feasible.
  - k. The site lacks adequate bushfire protection infrastructure, including a reticulated water supply and appropriate emergency access routes.
  - l. Potential noise impacts on surrounding properties have not been adequately addressed, and the extent of any adverse effects remains undetermined.



DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS  
AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

## **City Planning**

# **DA/2024/568 for Rural Industry – Demolition of Existing Structures, Construction of Three Sheds at 41 Cracknell Lane South Maitland**

## **Submission**

**Meeting Date: 16 September 2025**

**Attachment No: 5**

**Number of Pages: 2**

DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, 5 August 2024 1:35 PM  
**To:** Maitland City Council  
**Cc:** [REDACTED]  
**Subject:** Objection to DA/2024/568 @ 41 Cracknell lane South Maitland 2320

Dear Sir/ Madam

We would like to put forward our **objection** to the development proposed at the neighbouring property to us at 41 Cracknell lane South Maitland based on the following grounds. [REDACTED]

- [REDACTED]
- Our objection is in the main related to the position, materials to be used and environment affect of construction of Workshop 2. The scale of the project hardly fits in to a "rural" setting and is very industrial based making it totally out of character for the area.
- There are at least 10 native up to 10m high trees ( possible koala habitat) have to be removed to accommodate the proposed workshop 2. This will make the whole streetscape and surrounds look completely barron and bare.
- Noise contamination of proposed maintenance and repair of farm Equipment where 15 people will be employed and will accommodate up to 13 items of machinery in metal grade proposed workshop will have a great effect on our lifestyle as this is a heavy industry type of use that is proposed. We feel this will result in a substantial updraf in industrial noise on a daily basis that would severely effect [REDACTED]
- Externally workshop 2 is proposed to use the Colorbond wall cladding. Workshop 2 is facing the New England highway. This is a huge (7.1x18.2) 130m2 metal membrane structure that will reflect and bounce off car and train noise [REDACTED] This is on a 24/7 basis. Some sound dedening material must be used on any structure of this sacle to minimise the noise
- As there are 3 lots of land on this site and the proposed Workshop 2 has to be relocated, say opposite proposed parking area or other another position that would be more appropriate. This [REDACTED]

Type	Application	Lodged	Work Value	Officer	Status
Development Application	DA/2024/568	15/07/2024	\$94000.00	Jessica Stockham	Assessment
Property			Title		
41 Cracknell Lane SOUTH MAITLAND NSW 2320			16/701499, 17/701499		
Applicant			PCA		
Hill Top Planners Pty Ltd					
Details			Determination		Determined
Rural Industry - Demolition of One (1) Existing Structure, Construction of Thi					
Updated On			Notification From		Notification To
31/07/2024 10:04:56 AM			29/07/2024		12/08/2024

DA/2024/568 FOR RURAL INDUSTRY - DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF THREE SHEDS  
AT 41 CRACKNELL LANE SOUTH MAITLAND (Cont.)

Regards,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

**11.4 DA/2025/304 Shed at 51 Sparke Street, South Maitland**

<b>FILE NO:</b>	<b>DA/2025/304</b>
<b>ATTACHMENTS:</b>	<b>1. Locality Plan 2. Architectural Plans 3. Assessment Report (Under Separate Cover) 4. Schedule of Conditions</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Director City Services Coordinator Planning &amp; Development Principal Planner</b>
<b>AUTHOR:</b>	<b>Assistant Development Planner</b>
<b>APPLICANT:</b>	<b>The Shed Company</b>
<b>OWNER:</b>	<b>Tiphonie Parnell Taylor</b>
<b>PROPOSAL:</b>	<b>Shed</b>
<b>LOCATION:</b>	<b>51 Sparke Street, South Maitland</b>
<b>ZONE:</b>	<b>RU1 Primary Production</b>

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**EXECUTIVE SUMMARY**

*A Development Application (DA/2025/304) has been received seeking consent for a Shed at 51 Sparke Street, South Maitland (Locality Plan can be viewed in **Attachment 1** and Development Plans in **Attachment 2**).*

*The application is being reported to Council for determination due to Councillor Jordan with the support of Mayor Penfold and Councillor Penfold calling up the Development Application.*

*The development is located within the Central Maitland Heritage Conservation Area (HCA) and is zoned RU1 Primary Production under the Maitland Local Environmental Plan (MLEP) 2011.*

*The proposed development in its current form, and as supported by a Heritage Impact Statement (HIS), is considered to be an unsuitable design for the site and HCA. However, through the imposition of appropriate conditions of consent requiring design amendments to the siting, height and colours of the shed, the proposal can be made satisfactory and not unreasonably impact upon the HCA and surrounding built environment.*

*The application has been assessed against the relevant heads of consideration under Section 4.15(1) of the Environmental Planning and Assessment (EP&A) Act, 1979 (refer to **Attachment 3** Assessment Report) and is recommended for approval subject to conditions of consent (refer to **Attachment 4**).*

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## **OFFICER'S RECOMMENDATION**

### **THAT**

- 1. DA/2025/304 for a Shed at 51 & 62 Sparke Street, South Maitland be approved subject to the recommended schedule of conditions provided in Attachment 4 of this report.**

## **INTRODUCTION**

The purpose of this report is to seek development consent from Council for DA/2025/304 proposing a shed at 51 Sparke Street, South Maitland.

The application is being reported to Council for determination due to Councillor Jordan with the support of Mayor Penfold and Councillor Penfold calling up the Development Application.

A detailed assessment in accordance with Section 4.15 of the EP&A Act 1979 is provided within **Attachment 3** of this report.

## **BACKGROUND**

The DA for the shed was lodged with Council on 15 April 2025. A request for additional information was sent by Council on 7 May 2025 in regard to the following issues:

- Estimated Cost of Development;
- Insufficient Waste Management Plan;
- A request for a Stormwater Drainage Plan;
- Insufficient Statement of Environmental Effects;
- Clarification as to a proposed 'Wet Area';
- A request for a Heritage Impact Statement (HIS) and amended plans in accordance with recommendations.

The applicant submitted the following additional information on 30 June 2025:

- A HIS prepared by Jason Penhall, Contemporary Heritage (dated; June 2025);
- Updated plans (dated; 17/06/2025) with changes to roof pitch.

The development application was called up to Council for determination on 15 July 2025.

A meeting with the owners of the site and assessing officer was held on 24 July 2025 to discuss Council staff's position in relation to the design and potential design changes in accordance with the recommendations contained within the submitted HIS. The owners do not support the recommendations contained within the HIS and have therefore requested the application proceed to Council for determination with the shed design as lodged.

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## SITE DESCRIPTION

The legal description of the land on which the development is to be carried out is Lot 1 DP 733272, also known as 51 & 62 Sparke Street, South Maitland as the allotment is split over two sites. An aerial photograph of the subject land is provided in Figure 1 below.

Whilst the DA has been lodged against the address 51 Sparke Street, it is noted that the proposed shed, is specifically located on the portion of the allotment known as 62 Sparke Street, South Maitland. In Council's records, this portion of the allotment is approximately 1250m<sup>2</sup> in area. The site is zoned RU1 Primary Production and is located within the Central Maitland HCA. The site is relatively flat and consists of an existing two-storey dwelling. The site is a corner allotment with a secondary street frontage to Therry Street to the rear of the site.

The other portion of the site known as 51 Sparke Street is located adjacent to the subject site across the roadway of Sparke Street and consists of a range of smaller sheds and animal shelters.

Surrounding development is predominantly single storey dwellings on residential type allotments. Most of the dwellings in direct surrounds appear contributory to the Central Maitland HCA, with one (1) heritage item within a 50m radius (41 Blomfield Street).



Figure 1: Aerial photograph of subject site (Source- NSW Department of Planning Spatial Viewer)

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## PROPOSAL

The proposal seeks consent for the construction of a 10m x 7m shed to the rear of existing dwelling at the subject site (refer to Figure 2). The shed is proposed for the use of accommodating domestic items such as a caravan, cars, a car hoist and general workshop area as verbally confirmed by the applicant.

The shed is proposed to be a maximum of 4.95m high with a mezzanine level, 5m wide roller door, 1.5m x 3m wet area and other associated doors and windows. However, details of the proposed wet area have not been confirmed nor demonstrated on architectural plans. The shed is to be constructed with colorbond sheet metal in the colour 'Monument' (refer to Figure 3).

The proposal was not required to be notified or advertised in accordance with the *Environmental Planning and Assessment (EP&A) Act 1979* or the *Maitland Development Control Plan (MDCP) 2011*.

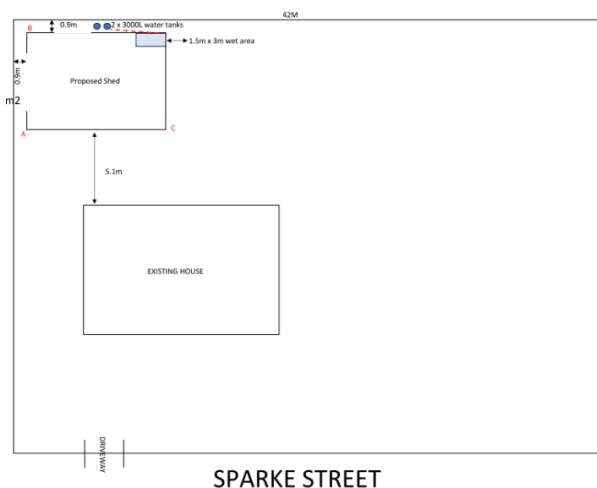


Figure 1: Proposed Site Plan.

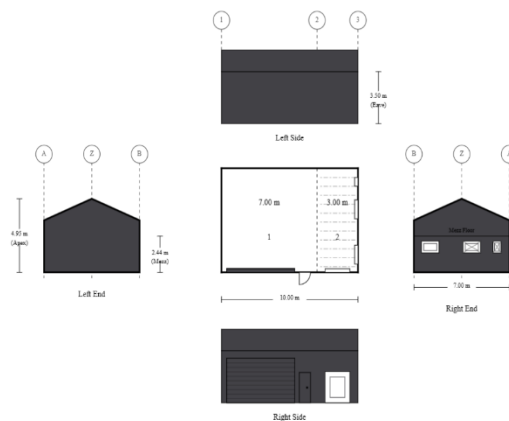


Figure 2: Proposed Architectural Plans.

## KEY ISSUES

The key issues of relevance to this Council report have been provided below. A detailed assessment of the Development Application is provided in **Attachment 3** of this report.

## Heritage

The proposed development is located within the Central Maitland HCA and has therefore been considered under *Clause 5.10 'Heritage Conservation' of the MLEP 2011*, as well as *Chapter C.4 & E.3.2 of the MDCP 2011*.

Under Clause 5.10(5), a HIS was requested to be submitted that would assess the extent to which the carrying out of the proposed development would affect the heritage significance of the surrounding contributory dwellings and the broader HCA. This document was provided by the applicant and prepared by Jason Penhall (Contemporary Heritage), dated June 2025. The assessment of the impacts of the development and subsequent recommendations to potentially minimise such impacts as outlined within the HIS were not adopted in revised plans other than that of a slight increase in roof pitch.



DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

An assessment against the recommendations is provided in the below Table 1.

Recommendation	Comment
Rear setback to be 2m	Not adopted, though will be imposed as a condition of consent.
Gutter level to be reduced to 3m and not to exceed the gutter level of the front verandah of 4 Therry Street	Not adopted, the applicant proposes a gutter level of 3.5m. This, however, will be imposed as a condition of consent.  Once, adopted, the decrease in gutter level from 3.5m to 3.0m will impact the usability of a small portion of the proposed mezzanine.
Roof pitch increased to 25 degrees or to match the host dwelling or garage at 4 Therry Street	Roof pitch increased to 22.5 degrees; this is considered satisfactory.
Building width reduced to 8m	This may not be deemed necessary, if the below option is opted for by the applicant.
If a 10m width is necessary, reduce the gabled portion to 8m with a skillion roof over the remaining 2m	Not adopted, though will be imposed as a condition of consent.  Once adopted, this will reduce the size of the proposed mezzanine area, however this is considered to be a reduced impact from requiring the entire shed to be reduced to 8m in width. In the event that the design change is not support due to cost implications, the applicant can choose to reduce the size of the shed to 8m.
Building depth reduced to 6m	Not adopted, though not deemed necessary respective of other amendments to be made.
Wall cladding to be vertically orientated Custom Orb profile colourbond in a 'Shale Grey' or 'Windspray' or another neutral colour. Alternatively, weatherboard cladding would also be appropriate in a neutral colour.	Wall cladding is vertically orientated in the recommended material.  The colour suggestions have not been adopted, though will be imposed as a condition of consent.
Roof cladding to be Custom Orb profile colourbond in a 'Shale Grey' or 'Windspray' colour	Roof cladding is consistent with recommended material.  The colour suggestions have not been adopted, though will be imposed as a condition of consent.



DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

Gutters and downpipes should match roof or wall colour	Details not provided, though will be subject to a condition of consent.
Double width garage door should be changed to two single doors	Not adopted, though not deemed necessary respective of other amendments to be made. Furthermore, the garage doors are not able to be seen from the street and therefore do not contribute to the impact on the neighbouring properties.
Prepare a site plan that identifies survey levels to coordinate heights with buildings in the vicinity	Not adopted nor provided, though not deemed necessary respective of other amendments to be made.
The site appears large enough to construct two smaller shed which may meet functional requirements with reduced impact	Not adopted, though not deemed necessary respective of other amendments to be made.

*Table 1: Summary of HIS recommendations.*

In summary, the proposed development in its current form is not considered compliant with this clause, however, subject to the imposition of conditions of consent requiring design amendments to the bulk and scale (condition 3) and colours and materials (condition 26) of the shed prior to the issue of a construction certificate, the proposed development can be considered acceptable. Following the adoption of these amendments, the proposed shed is considered to be compatible with HIS recommendations and the prevailing heritage character of the area.

With regard to the other matters in the above table (Table 1) of which are not subject to a condition of consent requiring amendments. The recommendations of the HIS have been adequately considered. While not adopted in full, alternative measures have been implemented to mitigate the primary concerns, specifically, those relating to bulk and scale, and materials and colours.

It is noted that during the assessment process reference was made to the proximity to an existing service station and an approved service station and takeaway food & drink premises (KFC) at 5-13 Louth Park Road, South Maitland (DA/2022/520).

The submitted HIS does not make any reference to the approved commercial uses however predominantly focuses on the direct visual impact of the proposed development on the surrounding contributory dwellings along Sparke Street and Therry Street, as well as the nearby heritage item at 41 Blomfield Street. The subject commercial uses are not able to be viewed from the streetscape of the development site and therefore does not hold significant weight in consideration of heritage impacts. It is therefore considered a suitable outcome that the proposed development be approved subject to the imposition of conditions as detailed within the discussion of heritage matters.

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## **FINANCIAL IMPLICATIONS**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

## **POLICY IMPLICATIONS**

This matter has no specific policy implications for Council.

## **STATUTORY IMPLICATIONS**

Statutory implications relating to assessment of the subject application have been addressed in the body of the report.

## **CONCLUSION**

An assessment of the application has been undertaken against *Section 4.15(1) of the EP&A Act, 1979* as amended. Subject to the imposition of conditions of consent including design changes to the bulk and scale of the shed and colours and materials and appropriate stormwater disposal, the proposed development is considered acceptable in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.

The recommended conditions of consent can be viewed in **Attachment 4** of this report. Recommended condition number 3 in relation to the amended design of the shed shall read as follows:

The development must be amended as follows:

- a) The proposed shed shall be setback 2m off the rear boundary.
- b) The wall height to the eaves of the proposed shed shall be reduced to 3m.
- c) The width of the proposed shed shall be reduced to 8m OR alternatively, reduce the gabled portion to a maximum of 8m with a skillion roof over the remaining 2m (this may be increased depending on the chosen width of the gabled portion). In this case, the gable roof must be reoriented so that the gable ends are located on the 10m wide elevations of the building.

Amended plans demonstrating compliance with this condition must be provided to the Certifying Authority prior to the issue of the first Construction Certificate.

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

# **City Planning**

## **DA/2025/304 Shed at 51 Sparke Street, South Maitland**

### **Locality Plan**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 1**

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)



DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## **City Planning**

# **DA/2025/304 Shed at 51 Sparke Street, South Maitland**

## **Architecural Plans**

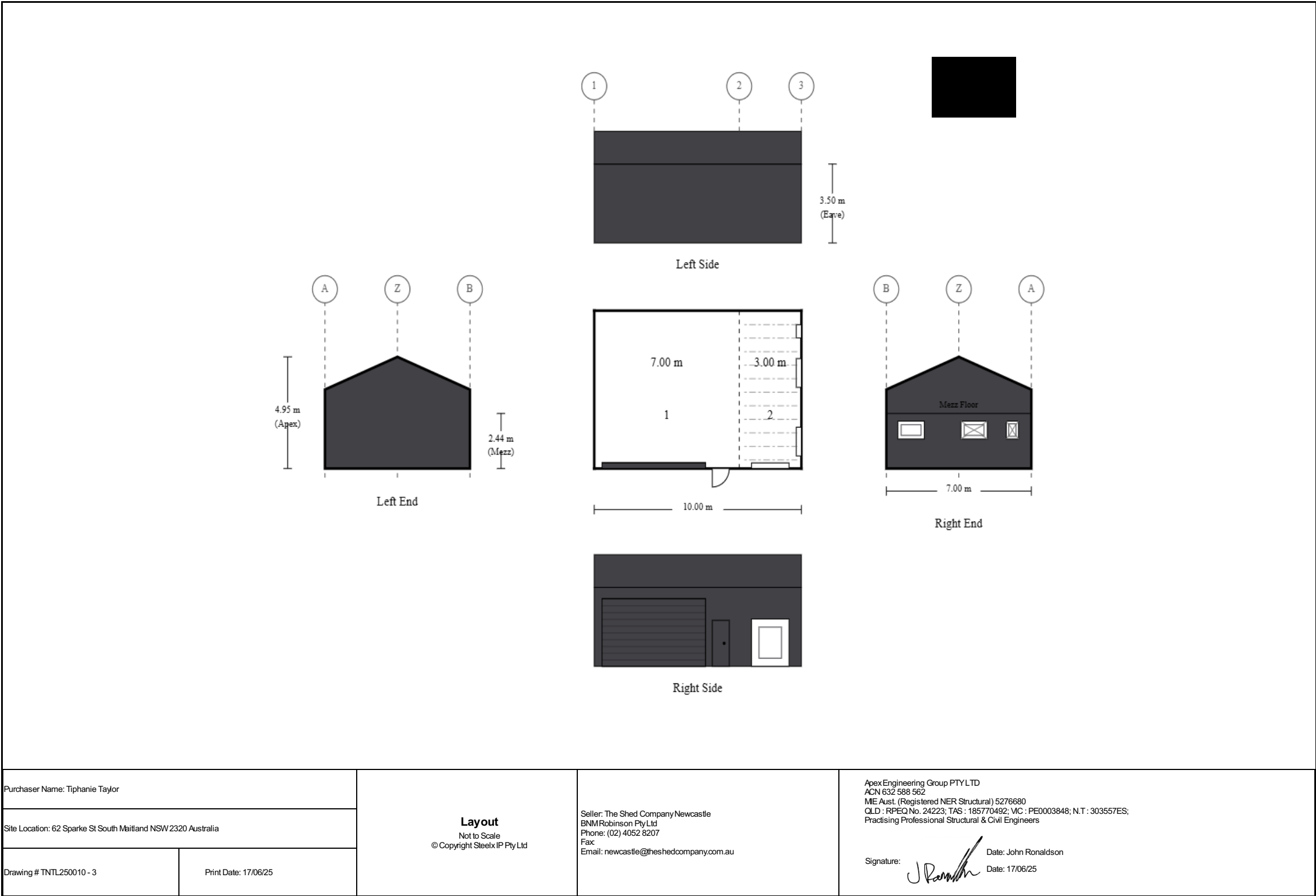
**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 2**







## **City Planning**

# **DA/2025/304 Shed at 51 Sparke Street, South Maitland**

## **Schedule of Conditions**

**Meeting Date: 16 September 2025**

**Attachment No: 4**

**Number of Pages: 7**



DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

## General Conditions

1

Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan/Drawing number	Revision number	Plan title	Drawn by	Date of plan
-	-	Site Plan	The Shed Company	15/03/2025
TNTL250010-3	-	Layout	John Ronaldson (Apex Engineering Group PTY LTD)	17/06/2025

Approved documents			
Document title	Version number	Prepared by	Date of document
Statement of Heritage Impact	2	Jason Penhall (Contemporary Heritage)	June 2025

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition Reason:

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2

Building Code of Australia

All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

Condition reason:

Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 69 of the Environmental Planning and Assessment Regulation 2021.

## Building Work

## Before issue of a construction certificate

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

3	<p><b>Amendments to Documents and Plans</b></p> <p>The development must be amended in accordance with the recommendations of the approved Statement of Heritage Impact, prepared by: Jason Penhall, dated: June 2025, as follows:</p> <p>a) The proposed shed shall be setback to be 2m off the rear boundary.</p> <p>b) The wall height to the eaves of the proposed shed shall be reduced to 3m.</p> <p>c) The width of the proposed shed shall be reduced to 8m OR alternatively, reduce the gabled portion to a maximum of 8m with a skillion roof over the remaining 2m (this may be increased depending on the chosen width of the gabled portion). In this case, the gable roof must be reoriented so that the gable ends are located on the 10m wide elevations of the building.</p> <p>Amended plans or documentation demonstrating compliance must be provided to the Certifying Authority prior to the issue of a Construction Certificate.</p> <p><b>Condition reason:</b> To ensure the development complies with Council's controls and guidelines.</p>
4	<p><b>Flooding certification</b></p> <p>The building shall be constructed such that it will withstand the effects of flooding in the locality. In this regard, an Engineer's Certificate stating that the structure as shown on the plans is capable of withstanding the characteristics of flooding at the proposed site, is to be provided to the Registered Certifier <b>prior to release of the Construction Certificate</b>. The flood hazard parameters to be considered are a 1% AEP flood level of RL 9.73m AHD and a velocity of 0.60m/s.</p> <p>Refer to flooding advice condition regarding BCA requirements for buildings of the following classification: Class 1, 2, 3, 4, 9(a) and 9(c).</p> <p><b>Condition reason:</b> To ensure the structure is designed to be capable of withstanding the effects of flooding.</p>

## Before building work commences

5	<p><b>All Weather Access</b></p> <p>Before the commencement of any site or building works, a 3m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction for the delivery of materials and use by trades people.</p> <p>No materials, waste or the like are to be stored on the all-weather access at any time.</p> <p><b>Condition reason:</b> To ensure safe and unobstructed access for construction vehicles and personnel during the building process.</p>
6	<p><b>Construction Certificate Required</b></p> <p><b>Prior to commencement of construction works</b>, a Construction Certificate is to be issued by the Registered Certifier.</p> <p><b>Condition reason:</b> To ensure a Construction Certificate is issued prior to works commencing.</p>
7	<p><b>Council to be notified of any damage to kerb, gutter, footpath etc prior to commencement</b></p>

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

	<p>The applicant is required to notify Council in writing <b>prior to commencing building operations</b>, of any existing damage to kerbing and guttering and/or footpath paving associated with the subject Lot. The absence of such notification signifies that no damage exists and the applicant shall therefore be liable for the cost of the repair of any damage to kerbing and guttering or footpath paving which may be necessary after completion of the building operation.</p> <p><b>Condition reason:</b> To ensure Council is notified of any existing damage to Council assets.</p>
8	<p><b>Erosion and sediment controls in place</b></p> <p>Before any site work commences, <b>the principal certifier</b>, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p><b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
9	<p><b>Home Building Act - Insurance</b></p> <p>1. Building work that involves residential building work (within the meaning of the Home Building Act, 1989) must not be carried out unless the Principal Certifier for the development to which the work relates has provided Council with written notice of the following information:</p> <p>a) in the case of work to be done by a licensee under that Act:</p> <p>i. the licensee's name and contractor licence number, and</p> <p>ii. of the name of the insurer by which the work is insured under Part 6 of that Act, or</p> <p>b) in the case of work to be done by any other person:</p> <p>i. the name of the owner-builder, and</p> <p>ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.</p> <p>2. A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act, 1989, that states that a person is the holder of an insurance policy issued for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that part.</p> <p><b>Condition reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
10	<p><b>Notice of appointment of PCA to be provided prior to commencement</b></p> <p>The applicant shall submit to Council a 'Notice of Appointment of the Principal Certifier' at least two (2) days prior to the commencement of construction works.</p> <p><b>Condition reason:</b> To ensure a Principal Certifier is appointed prior to works commencing.</p>
11	<p><b>Notice of commencement to be provided to Council</b></p> <p>The applicant shall submit to Council a "Notice of Commencement" form at least two (2) days <b>prior to the commencement of construction works</b>.</p> <p><b>Condition reason:</b> To ensure Council is notified prior to works commencing.</p>
12	<p><b>Rubbish Generated from the Development For all construction sites</b></p>

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

**RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304**

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

	<p>Before the commencement of any building works, a waste containment facility is to be established on site. The facility is to be regularly emptied and maintained for the duration of works.</p> <p>No rubbish must be stockpiled in a manner which facilitates the rubbish to be blown or washed off site. The site must be cleared of all building refuse and spoil immediately upon completion of the development.</p> <p><b>Condition reason:</b> Ensuring proper waste management and preventing environmental pollution during the construction process.</p>
13	<p><b>Sign on Building</b></p> <p>Except in the case of work only carried out to the interior of a building or Crown building work, a sign must be erected in a prominent position on the site showing</p> <ul style="list-style-type: none"> <li>i. the name, address and telephone number of the Principal Certifier for the work, and</li> <li>ii. the name of any principal contractor and their after-hours contact number, and</li> <li>iii. must contain a statement that unauthorised entry to the site is prohibited.</li> </ul> <p>The sign must be maintained while the work is being carried out and is to be removed when the work is completed.</p> <p><b>Condition reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
14	<p><b>Site is to be Secured</b></p> <p>Before the commencement of any site or building works, the site must be secured, so far as is reasonably practicable, from unauthorised access to the satisfaction of the Principal Certifier. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.</p> <p><b>Condition reason:</b> Ensuring safety, preventing unauthorised access, and minimising the risk of injuries, theft, and vandalism.</p>

**During building work**

15	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p><b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
16	<p><b>Building materials on Council's footpath</b></p> <p>While work is being carried out, no building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.</p> <p><b>Condition reason:</b> To ensure no building materials, refuse or spoil restricts use of Council's footpath.</p>
17	<p><b>Discovery of relics and Aboriginal objects</b></p>

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

**RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304**

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

	<p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <p>a. the work in the area of the discovery must cease immediately;</p> <p>b. the following must be notified</p> <p>i. for a relic – the Heritage Council; or</p> <p>ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</p> <p>Site work may recommence at a time confirmed in writing by:</p> <p>a. for a relic – the Heritage Council; or</p> <p>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</p> <p><b>Condition reason:</b> To ensure the protection of objects of potential significance during works.</p>
18	<p><b>Excavation for Residential Building Works</b></p> <p>If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having benefit of the development consent:</p> <p>i) Must preserve and protect the building from damage, and</p> <p>ii) If necessary, must underpin and support the building in an approved manner, and</p> <p>The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (Includes a public road and any other public place).</p> <p><b>Condition reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
19	<p><b>Excavations and backfilling to be executed safely</b></p> <p>All excavations and backfilling must be executed safely, in accordance with appropriate professional standards and be properly guarded and protected to prevent them from being dangerous to life or property.</p> <p><b>Condition reason:</b> To ensure excavations and backfilling is executed safely.</p>
20	<p><b>Property to be protected against soil erosion (minor)</b></p> <p>The environment surrounding the work shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind and "vehicle tracking".</p> <p><b>Condition reason:</b> To ensure compliance of erosion and sediment control measures throughout the course of construction.</p>
21	<p><b>Public access to the site to be restricted</b></p> <p>Suitable and adequate measures are to be applied to restrict public access to the site and building works, materials and equipment.</p> <p><b>Condition reason:</b> To ensure public access to the building site is restricted.</p>
22	<p><b>Restriction on working hours for building activity</b></p>

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

**RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304**

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

	<p>Unless otherwise approved by Council in writing, all general building work shall be carried out between the hours of:</p> <p>a. 7.00am to 6.00pm Monday to Friday</p> <p>b. 7.00am to 5.00pm Saturday</p> <p>Any work performed on Sundays or Public Holidays that may cause offensive noise, as defined under the Protection of the Environment Operations Act, is prohibited. Minor works (such as hand sanding, painting, digging and the like) is permitted between the hours of 9.00am to 5.00pm. Power operated tools are not permitted to be used.</p> <p><b>Condition reason:</b> To ensure approved building activity does not disrupt the amenity of the surrounding area.</p>
23	<p><b>Site to be cleared of building refuse on completion</b></p> <p>The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.</p> <p><b>Condition reason:</b> To ensure all building waste, refuse and spoil is removed from site upon completion of works.</p>
24	<p><b>Stormwater drainage disposal</b></p> <p>Following the installation of any roof or hardstand area, final discharge of collected stormwater runoff shall be piped, in accordance with Council's Manual of Engineering Standards to:</p> <p>a) The existing site drainage system.</p> <p><b>Condition reason:</b> To ensure stormwater connection is in accordance with Council's Manual of Engineering Standards and the approved plan(s).</p>
25	<p><b>Toilet facilities</b></p> <p>While work is being carried out, temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time.</p> <p>The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.</p> <p><b>Condition reason:</b> To ensure adequate sanitary facilities during construction.</p>

**Before the issue of an occupation certificate**

26	<b>Heritage Material and Colours</b>		
	Unless otherwise approved in writing by Council, the development shall be constructed of and finished with colours and materials from the following schedule, or on a like for like basis.		
	<b>Feature</b>	<b>Material</b>	<b>Colour</b>
	Roof	Colorbond Custom ORB	Colorbond 'Shale Grey' OR Colorbond 'Windspray'

DA/2025/304 SHED AT 51 SPARKE STREET, SOUTH MAITLAND (Cont.)

## RECOMMENDED CONDITIONS OF CONSENT – DA/2025/304

Shed – 51 Sparke Street SOUTH MAITLAND NSW 2320

	Wall Cladding	Colorbond Custom ORB	Colorbond 'Shale Grey' OR Colorbond 'Windspray'
	Gutters and Downpipes	As shown by the approved Architectural plans	To match the roof or wall colour
	<b>Condition reason:</b> To ensure the new building works complement Council's heritage conservation policies applicable to Heritage Conservation Areas.		
27	<b>Occupation certificate required</b>		
	A relevant Occupation Certificate must be obtained prior to any use or occupation of the development.		
	The Principal Certifier must be satisfied that the development has been constructed in accordance with approved plans, specifications and conditions of this consent.		
	<b>Condition reason:</b> To ensure development is suitable for occupation and / or use.		
28	<b>Reduce Risk of Electrocution in Flood Event</b>		
	All ground level electrical services are to be connected to a 'residual current device' (RCD) to the requirements of Energy Australia to reduce the risk of electrocution in a flood event where inundation of the ground level occurs.		
	<b>Condition reason:</b> To minimise risk of electrocution in flood.		
29	<b>Repair of infrastructure</b>		
	Before the issue of an Occupation Certificate:		
	1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or		
	2. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.		
	<b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.		

## Occupation and ongoing use

30	<b>Use Limitations</b>
	No approval is given or implied for the shed to be utilised for habitable or commercial purposes.
	<b>Condition reason:</b> To enforce use limitations.

## 11.5 Development Application 2024/1104 Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls at 26 Edward Street, Tenambit

FILE NO:	DA/2024/1104
ATTACHMENTS:	<ol style="list-style-type: none"><li>1. Locality Plan</li><li>2. Development Plans (Under Separate Cover)</li><li>3. Assessment Report (Under Separate Cover)</li><li>4. Schedule of Conditions</li><li>5. Submissions</li></ol>
RESPONSIBLE OFFICER:	Acting Director City Planning Coordinator Planning & Development Coordinator Building & Development
AUTHOR:	Senior Health & Building Surveyor
APPLICANT:	Your Home Designs Pty Ltd
OWNER:	Brad and Louise Dilley
PROPOSAL:	Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls
LOCATION:	26 Edward Street, TENAMBIT
ZONE:	R1 General Residential

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### EXECUTIVE SUMMARY

*A development application (DA/2024/1104) has been received seeking consent for Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls Attachment 1.*

*The application is reported to Council, as five (5) submissions were received during the public notification process and the proposed development seeks to vary controls prescribed within the Maitland Development Control Plan ("DCP") 2011.*

*The application was notified from 6 June 2025 to 20 June 2025. Five (5) submissions were received during the exhibition period. The concerns raised by the objectors in respect to the proposed development include stormwater drainage and management, privacy, overshadowing, retaining wall height, finish ground level.*

*The development plans can be viewed in **Attachment 2** of this report.*

*Given the context of the site and positioning of the existing dwelling along the Edward Street frontage, the proposal allows the retention of the primary front and rear yards associated with the existing dwelling. This presents a design capable of complying with the surrounding context, bulk, height, scale, and siting.*



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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

*The proposed development is considered satisfactory, with negligible impact on the neighbouring properties and is considered appropriate in the R1 zoning and residential context. As such, the application is recommended for approval.*

## OFFICER'S RECOMMENDATION

### THAT

- 1. DA/2024/1104 for Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls be approved subject to the conditions of Attachment 4 of this report.**

## INTRODUCTION

The purpose of this report is to provide Council with an assessment of the proposal to enable determination of DA/2024/1104 at 26 Edward Street TENAMBIT, proposing alterations to the existing dwelling, new garage, with attached carport, swimming pool & retaining walls.

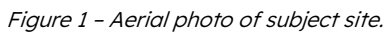
The application is reported to Council as five (5) submissions were received during the public notification process. The proposed development seeks to vary controls prescribed within the Maitland Development Control Plan ("DCP") 2011.

A detailed assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 is provided within **Attachment 3** of this report.

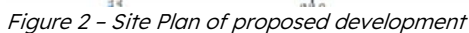
## SITE DESCRIPTION

The site is known as 26 Edward Street TENAMBIT and has a legal description of Lot 6 in Deposited Plan 22809. The site is rectangular in shape and has a total site area of 1018m<sup>2</sup>. The site is located on Edward Street with vehicle access gained via the 16.890m frontage. The site is zoned R1 General Residential. The location of the site is represented in Figure 1 below.

Existing improvements on the site include alterations to the existing single-storey dwelling located at the front of the block facing Edward Street. Small ancillary structures are also located at the rear of the property. Much of the site is grassed with no significant trees. The site is in a well-established residential area predominantly consisting of detached dwelling houses located on consistent sized allotments. The site slopes to the northwestern corner of the site.



The proposal involves alterations to the existing dwelling, a new garage at the rear with attached carport in front, swimming pool & retaining wall at the rear.



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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

## KEY ISSUES

### PUBLIC SUBMISSIONS

The proposal was publicly notified and advertised for a period of 14 days from 6 June 2025 to 20 June 2025 in accordance with the *Environmental Planning and Assessment Act 1979* and the Maitland Development Control Plan 2011.

The application is reported to Council as five (5) submissions were received by Council during the notification period; the redacted submissions can be viewed in **Attachment 5**. A summary of the issues raised in the submission is outlined below, with a detailed response to the submissions provided.

The main issues raised by the objectors are summarised below and comment provided:

#### Drainage and stormwater matters

A stormwater drainage plan and accompanying engineering report, prepared by Stride Consulting Engineers (dated 30 July 2025), have been submitted. The documentation demonstrates full compliance with the objectives and controls showing all captured stormwater being disposed at Edward St.

The stormwater design consists of a storage component and a pump to final disposal in Edward St, controlled via a float switch, this differs from the more traditional gravity stormwater designs. The engineering report includes detailed on-site detention (OSD) design, along with pump and float valve specifications, to ensure stormwater generated from the garage and carport is safely discharged to **26 Edward Street**. Additionally, the stormwater from the dwelling itself, is shown to be directed to Edward Street per the detailed drainage plan. The pump system is only employed for the proposed garage and carport stormwater disposal only.

The engineering details were referred to Council Subdivision and Drainage Engineers for review, who deemed the design adequate for the proposed ancillary works in line with Council's Manual of Engineering Standards (MoES).

Accordingly, appropriate conditions are recommended to ensure the stormwater management measures are implemented and maintained in accordance with the MoES, including ongoing detention capacity, pump controls, and approved point of discharge.

#### Future easement

Neighbouring properties have raised concerns regarding stormwater overland flow and is seeking to establish a legal easement over the subject property. In response to the matter, the applicant has submitted a comprehensive engineering plan demonstrating that all stormwater, including overland flow, will be captured on-site and actively pumped to the street. The engineering detail was referred to Councils Engineers for review and has been deemed appropriate. It has been determined that an easement to deal with the proposed water from this development is not required subject to appropriate conditions incorporated into the consent. The request to establish an easement for future development is not a matter of consideration under Section 4.15 of the *Environmental Planning & Assessment Act 1979*.

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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

### **Privacy matters**

The proposed development positions the new pool 1.0 m from the southern boundary, supported by a retaining wall approximately 1.1 m high (crest at 1.1 m decreasing to 0.3 m). Revised plans have been submitted demonstrating a garden bed and suitable planting along the southern boundary to soften the interface.

Appropriate conditions are recommended to ensure that the retaining wall is constructed precisely in accordance with the approved location and height, and that the planting is implemented and maintained as shown.

### **Overshadowing/ finished ground level**

The proposed development incorporates a retaining wall and an attached shed along the rear western boundary. The shed will be supported by a 1.0 m high retaining wall set back 0.2 m from the western boundary. As a result, the combined structure—a 2.7 m high shed atop the retaining wall—will yield an overall gutter height of 3.9 m above the neighbouring property, with a horizontal setback of approximately 0.92 m.

The proposed scale and form of the development are consistent with comparable structures in the surrounding area.

Appropriate conditions of consent are recommended to ensure:

- The retaining wall and shed are constructed in strict compliance with the approved siting, height, and setbacks.
- The retaining wall is engineered and certified by a qualified structural engineer in accordance with council standards (particularly given exceedance of 600 mm in retained height).
- Adequate drainage is incorporated to prevent adverse impacts on adjacent properties, in line with supplied engineering detail.

### **FINANCIAL IMPLICATIONS**

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

### **POLICY IMPLICATIONS**

This matter has no specific policy implications for Council.

### **STATUTORY IMPLICATIONS**

Statutory implications relating to assessment of the subject application have been addressed in the body of the report

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

## **CONCLUSION**

This application has been assessed against Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended. The proposed development is considered acceptable in terms of the relevant matters for consideration under the Environmental Planning and Assessment Act and the development application is recommended for approval subject to the recommended conditions contained within **Attachment 4**.

## **City Planning**

# **Development Application 2024/1104 Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls at 26 Edward Street, Tenambit**

## **Locality Plan**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 1**



DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)



## **City Planning**

# **Development Application 2024/1104 Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls at 26 Edward Street, Tenambit**

## **Schedule of Conditions**

**Meeting Date: 16 September 2025**

**Attachment No: 4**

**Number of Pages: 7**



DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

**RECOMMENDED CONDITIONS OF CONSENT – DA/2024/1104**

Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls  
26 Edward Street TENAMBIT

**General Conditions**

1

Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan/Drawing number	Revision number	Plan title	Drawn by	Date of plan
Job: YHD-543 18 Pages	D5	Architectural Plans	Your Home Design	3/7/2025
Job: C231118 3 Pages	2	Stormwater Engineering	Stride Consulting Engineers	30/7/2025
Job: S231118 15 Pages	A	Civil Engineering	Stride Consulting Engineers	27/5/2025

In the event of any inconsistency between the approved plans and documents, the approved Plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2

Building Code of Australia

All building work shall be carried out in accordance with the provisions of the Building Code of Australia (BCA).

In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.

Reason: Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 69 of the Environmental Planning and Assessment Regulation 2021.

3

BASIX Certificate

The applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) for the development to which this consent applies.

Reason: Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 75 of the Environmental Planning and Assessment Regulation 2021.

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

**Building Work**

**Before issue of a construction certificate**

4	<b>Long Service Levy</b>
	In accordance with Section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate to the Long Service Payments Corporation for any works that cost \$250,000 or more.
	<b>Reason:</b> To ensure payment of the Long Service Levy.

**Before building work commences**

5	<b>All Weather Access</b>
	Before the commencement of any site or building works, a 3m wide all-weather vehicle access is to be provided from the kerb and gutter to the building under construction for the delivery of materials and use by trades people.
	No materials, waste or the like are to be stored on the all-weather access at any time.
	<b>Reason:</b> To ensure safe and unobstructed access for construction vehicles and personnel during the building process.
6	<b>Construction Certificate Required</b>
	<b>Prior to commencement of construction works</b> , a Construction Certificate is to be issued by the Registered Certifier.
	<b>Reason:</b> To ensure a Construction Certificate is issued prior to works commencing.
7	<b>Driveway Crossing</b>
	<b>Prior to commencement of construction works</b> , of the driveway crossing on the public footway verge, the works shall have been approved by Council. An application form, "Application To Construct Private Works On Footway" shall be submitted to Council, together with the appropriate fee (for each driveway).
	<b>Reason:</b> To ensure appropriate approval is obtained prior to works on the public road.
8	<b>Council to be notified of any damage to kerb, gutter, footpath etc prior to commencement</b>
	The applicant is required to notify Council in writing <b>prior to commencing building operations</b> , of any existing damage to kerbing and guttering and/or footpath paving associated with the subject Lot. The absence of such notification signifies that no damage exists and the applicant shall therefore be liable for the cost of the repair of any damage to kerbing and guttering or footpath paving which may be necessary after completion of the building operation.
	<b>Reason:</b> To ensure Council is notified of any existing damage to Council assets.
9	<b>Erosion and sediment controls in place</b>

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

	<p>Before any site work commences, <b>the principal certifier</b>, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p><b>Reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
10	<p><b>Home Building Act - Insurance</b></p> <p>1. Building work that involves residential building work (within the meaning of the Home Building Act, 1989) must not be carried out unless the Principal Certifier for the development to which the work relates has provided Council with written notice of the following information:</p> <p>a) in the case of work to be done by a licensee under that Act:</p> <ul style="list-style-type: none"> <li>i. the licensee's name and contractor licence number, and</li> <li>ii. of the name of the insurer by which the work is insured under Part 6 of that Act, or</li> </ul> <p>b) in the case of work to be done by any other person:</p> <ul style="list-style-type: none"> <li>i. the name of the owner-builder, and</li> <li>ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.</li> </ul> <p>2. A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act, 1989, that states that a person is the holder of an insurance policy issued for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that part.</p> <p><b>Reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
11	<p><b>Notice of appointment of PCA to be provided prior to commencement</b></p> <p>The applicant shall submit to Council a 'Notice of Appointment of the Principal Certifier' at least two (2) days prior to the commencement of construction works.</p> <p><b>Reason:</b> To ensure a Principal Certifier is appointed prior to works commencing.</p>
12	<p><b>Notice of commencement to be provided to Council</b></p> <p>The applicant shall submit to Council a "Notice of Commencement" form at least two (2) days <b>prior to the commencement of construction works</b>.</p> <p><b>Reason:</b> To ensure Council is notified prior to works commencing.</p>
13	<p><b>Rubbish Generated from the Development For all construction sites</b></p> <p>Before the commencement of any building works, a waste containment facility is to be established on site. The facility is to be regularly emptied and maintained for the duration of works.</p> <p>No rubbish must be stockpiled in a manner which facilitates the rubbish to be blown or washed off site. The site must be cleared of all building refuse and spoil immediately upon completion of the development.</p> <p><b>Reason:</b> Ensuring proper waste management and preventing environmental pollution during the construction process.</p>
14	<p><b>Sign on Building</b></p>

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

	<p>Except in the case of work only carried out to the interior of a building or Crown building work, a sign must be erected in a prominent position on the site showing</p> <ul style="list-style-type: none"> <li>i. the name, address and telephone number of the Principal Certifier for the work, and</li> <li>ii. the name of any principal contractor and their after-hours contact number, and</li> <li>iii. must contain a statement that unauthorised entry to the site is prohibited.</li> </ul> <p>The sign must be maintained while the work is being carried out and is to be removed when the work is completed.</p>
	<p><b>Reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
15	<p><b>Site is to be Secured</b></p> <p>Before the commencement of any site or building works, the site must be secured, so far as is reasonably practicable, from unauthorised access to the satisfaction of the Principal Certifier. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.</p>
	<p><b>Reason:</b> Ensuring safety, preventing unauthorised access, and minimising the risk of injuries, theft, and vandalism.</p>

**During building work**

16	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p>
	<p><b>Reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
17	<p><b>Building materials on Council's footpath</b></p> <p>While work is being carried out, no building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.</p>
	<p><b>Reason:</b> To ensure no building materials, refuse or spoil restricts use of Council's footpath.</p>
18	<p><b>Discovery of relics and Aboriginal objects</b></p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> <li>a. the work in the area of the discovery must cease immediately;</li> <li>b. the following must be notified <ul style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ul> </li> </ul> <p>Site work may recommence at a time confirmed in writing by:</p>

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

	<p>a. for a relic – the Heritage Council; or</p> <p>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</p> <p><b>Reason:</b> To ensure the protection of objects of potential significance during works.</p>
19	<p><b>Excavation for Residential Building Works</b></p> <p>If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person having benefit of the development consent:</p> <p>i) Must preserve and protect the building from damage, and</p> <p>ii) If necessary, must underpin and support the building in an approved manner, and</p> <p>The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (Includes a public road and any other public place).</p> <p><b>Reason:</b> Prescribed conditions of development consent pursuant to Section 4.16(11) of the Environmental Planning and Assessment Act 1979 and Section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
20	<p><b>Offensive Noise, Dust, Odour and Vibration</b></p> <p>All work must not give rise to offensive noise, dust, odour or vibration as defined in the Protection of the Environment Operations Act 1997 when measured at the nearest property boundary.</p> <p><b>Reason:</b> To ensure the works are undertaken per the provisions of the POEO Act 1997.</p>
21	<p><b>Property to be protected against soil erosion (minor)</b></p> <p>The environment surrounding the work shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind and "vehicle tracking".</p> <p><b>Reason:</b> To ensure compliance of erosion and sediment control measures throughout the course of construction.</p>
22	<p><b>Retaining walls on common boundaries</b></p> <p>Retaining walls on common boundaries shall be in accordance with the approved retaining plan. No walls shall exceed the maximum height of 1.5m.</p> <p><b>Reason:</b> To ensure retaining walls comply with Council's Manual of Engineering Standards.</p>
23	<p><b>Restriction on working hours for building activity</b></p> <p>Unless otherwise approved by Council in writing, all general building work shall be carried out between the hours of:</p> <p>a. 7.00am to 6.00pm Monday to Friday</p> <p>b. 7.00am to 5.00pm Saturday</p> <p>Any work performed on Sundays or Public Holidays that may cause offensive noise, as defined under the Protection of the Environment Operations Act, is prohibited. Minor works (such as hand sanding, painting, digging and the like) is permitted between the hours of 9.00am to 5.00pm. Power operated tools are not permitted to be used.</p>

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

	<b>Reason:</b> To ensure approved building activity does not disrupt the amenity of the surrounding area.
24	<b>Site to be cleared of building refuse on completion</b>
	The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.
	<b>Reason:</b> To ensure all building waste, refuse and spoil is removed from site upon completion of works.
25	<b>Stormwater drainage disposal</b>
	Following the installation of any roof or hardstand area, final discharge of collected stormwater runoff shall be piped, in accordance with Council's Manual of Engineering Standards to:
	a) The street gutter with a "kerb adaptor" (see Council's Standard Drawing). Stormwater pipes across the footway shall be "100mm sewer grade" and shall be under-bored beneath any existing concrete path, or alternatively by the removal of one complete slab segment between joints and replaced in concrete, dowelled to the existing path and finished similar to the adjoining surface.
	<b>Reason:</b> To ensure stormwater connection is in accordance with Council's Manual of Engineering Standards and the approved plan(s).
26	<b>Toilet facilities</b>
	While work is being carried out, temporary toilet(s) must be provided and maintained on site from the time of commencement of building work to completion. The number of toilets provided must be one toilet per 20 persons or part thereof employed on the site at any one time.
	The temporary toilet is to be either connected to the sewerage system or an approved septic tank or otherwise may be a chemical toilet supplied by a licensed contractor.
	<b>Reason:</b> To ensure adequate sanitary facilities during construction.
27	<b>Responsibility for changes to public infrastructure</b>
	While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.
	<b>Reason:</b> To ensure payment of approved changes to public infrastructure.

**Before the issue of an occupation certificate**

28	<b>Repair of infrastructure</b>
	Before the issue of an Occupation Certificate:
	1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or
	2. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.
	<b>Reason:</b> To ensure any damage to public infrastructure is rectified.

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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

29	<b>Occupation certificate required</b>
	A relevant Occupation Certificate must be obtained prior to any use or occupation of the development.
	The Principal Certifier must be satisfied that the development has been constructed in accordance with approved plans, specifications and conditions of this consent.
	<b>Condition reason:</b> To ensure development is suitable for occupation and / or use.

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

## **City Planning**

# **Development Application 2024/1104 Alterations to Dwelling, Garage, Carport, Swimming Pool & Retaining Walls at 26 Edward Street, Tenambit**

## **Submissions**

**Meeting Date: 16 September 2025**

**Attachment No: 5**

**Number of Pages: 6**



DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)



18<sup>th</sup> June 2025

The General Manager  
Maitland City Council  
P O Box 220  
MAITLAND NSW 2320

Dear Jeff,

**RE DA/2024/1104 – 26 EDWARD STREET, TENAMBIT**

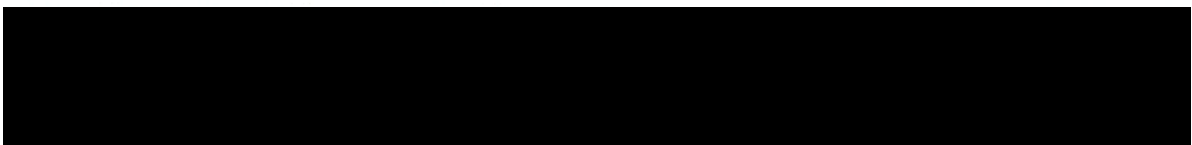


which adjoins the of the property, the subject of the above Development Application. We are writing to you to raise our concerns in respect to the above Development Application and specifically its potential effects on our property as noted hereunder.

1. There does not appear to be any shadow diagram provided as part of the DA. As noted on the plans the top of the new proposed fence will be in the order of 3 metres above natural ground level substantially reducing morning sunlight to Units 16, 17 & 18.
2. There is no stormwater management plan included on the application tracker which based on the quantity of proposed impervious surface area and grade of the site is concerning. We would implore Council to have the proponent prepare and submit a detailed Stormwater Management Plan.
3. Whilst we note the intent to provide substantial driveway areas as permeable, we would like Council to consider including a condition of consent requiring a Positive Covenant be placed on title to prevent this being altered in the future?

Should you have any queries in respect to this submission please do not hesitate to contact the undersigned.

Kind regards,



DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

Hi

I am [REDACTED] which [REDACTED] the subject development site.

I wish to object to the development as no provisions is made to allow for the future placement of a drainage easement 1.5m in width at the rear of the property so as to enable future residential development of the rear [REDACTED], together with that of [REDACTED] to the south, [REDACTED]

The owners of #26 have been approached to join us in our endeavours to obtain an easement for drainage over several allotments to enable the development of much needed infill housing to occur on fully serviced residentially zoned land. To date they have rejected our offers.

It is requested that a setback of 1.5m be applied along the rear of the subject property so as to enable the creation of a drainage easement in the future..

I also request that a privacy screen be placed along the southern fence of the proposed pool so as to limit visual access [REDACTED]

It is also unclear as to the finished height of the rear boundary fence relative to the height of the existing fencing. Such details are not shown on the plans, however it appears to result in the fencing to be in excess of one metre above the existing top of fence with a finished height of 40.3m AHD, which is 3.3 metres above the existing ground level of 36.98m AHD. Clarification of this matter would be appreciated. I believe any increase in fence height should be limited to 400mm above existing.

If the above matters are agreed to by the proponent, I would agree to withdrawing my objection.

Regards  
[REDACTED]

*PS I have not made a reportable political donation within the last 2 years.*

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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

The General Manager  
MAITLAND CITY COUNCIL  
PO Box 220  
MAITLAND NSW 2320



18<sup>th</sup> June 2025

**SUBMISSION TO DA 2025/1104  
26 EDWARD STREET TENAMBIT**

I am the owner of [REDACTED] Edward Street Tenambit which immediately adjoins #26 Edward Street. #26 Edward Street drains onto my property and I am very concerned of the potential impact the proposed development will have on my property due to increased runoff. I have owned this property for over 50 years and are currently in discussions with my downstream neighbour to seek an easement over a natural slope to drain stormwater from my property.

Currently four residential properties drain across my land. None of these properties drain to Edward Street so I cop all of their water during a storm event. These properties are #26 to #32 Edward Street.

I do not believe it is reasonable for me to accommodate additional stormwater drainage generated by the proposed development of #26. The proposed development will reduce the natural infiltration currently afforded by the large area of grassed lawn lying downslope of the existing dwelling. The proposed development removes this while increasing the area of impervious surface. The proposed tanks are shown on the plans as meeting Basix requirements and are not provided for any form of detention.

The proposed development shows a retaining wall about 300mm -600mm in height. This is a solid extension of the wall which will stop water from flowing on the property located to the west (Lot 601). As a result this will result in the channelling of the water onto my property, which I strongly object to. The natural overland flow path will be altered.

I have offered upstream neighbours a drainage easement over my property so as to facilitate future development of the rear yards of #20 - #26 Edward Street. This easement is proposed to extend across [REDACTED] to an existing Council drainage pit (900mm x 900mm).

I offer to the owners of #26 access to this easement at no charge subject to the following conditions:

Condition 1: Moving the proposed buildings 600mm to the east so as to provide a rear setback of 1500mm.

*Comment: This can be achieved within the site without requiring a reduction in building size or building area.*

Condition 2: Agreement to the placement of an easement for drainage 1500mm wide along the rear of #26 prior to the issue of a Construction Certificate. The owners of #26 would have benefit of the easement.

*Comment: This would require signing of S88B Instrument which has been prepared by a local surveyor.*

Condition 3: Allowing others to lay a 225mm PVC drainage pipe within the easement at a depth of approximately 900mm.

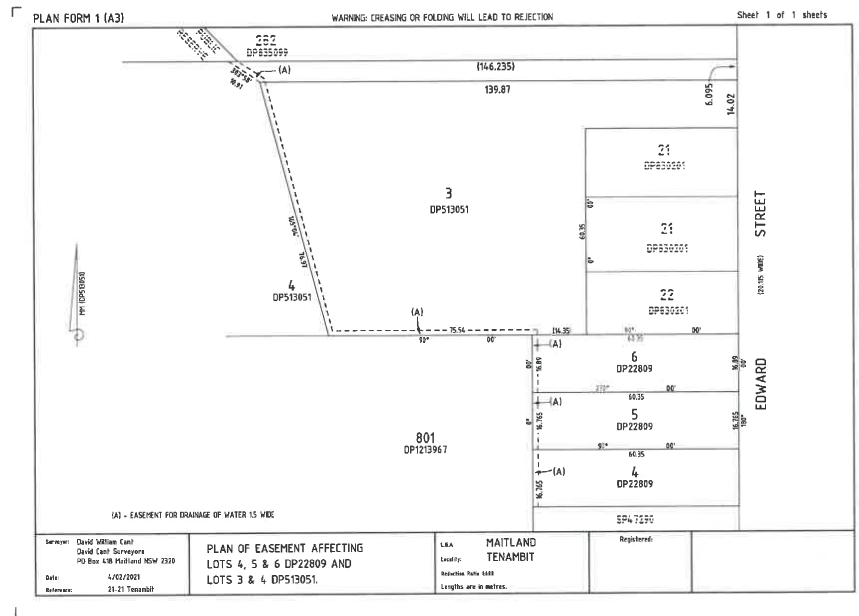
*Comment: This work could be undertaken either before or during construction of the buildings and retaining walls.*

DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

- 2 -

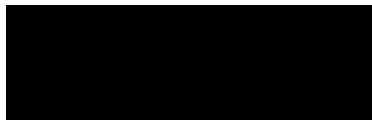
I would allow The owners of #26 to freely drain stormwater from any Council required detention facility, over my property until such time as the pipework is paced in the easement.

A plan of the proposed drainage easement is provided below:



I trust that common sense will prevail and that the owners of #26 accept my offer.

Regards



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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

The General Manager

I am the owner of [REDACTED] This property has an area in excess of 1000m2. [REDACTED] of my property and so it [REDACTED] for infill residential development to occur at the rear, subject to Council Approval. Together with the rear of my neighbours allotment [REDACTED], the vacant development area is in excess of 1000m2. Given Council's stated objectives to increase the supply of housing in well serviced areas, I believe the development of [REDACTED] would be in keeping with Council's adopted Maitland Local Housing Strategy. It is therefore in the public interest that the proposed development does not result in placing undue limitations on achieving Council's strategic planning objectives.

I have examined the plans for #26 Edward Street Tenambit and note that building is proposed to be setback 900mm from the rear boundary.

Currently there is no drainage easement servicing our, our neighbours properties, or the subject property. Thus any proposal to further develop the rear of my property is unlikely until an easement to drain water is in place. I understand Council requires drainage easements to be 1.5m in width. I therefore ask that Council only approves this development if the rear setback is increased to 1.5 metres so as to provide for a 225mm dia inter allotment drainage (IAD) pipe to be placed between the proposed building and the rear boundary.

Could you kindly acknowledge the receipt of this submission please.

Regards

[REDACTED]

PS: I have not made a reportable donation to any political party, elected member, or councillor in the last 2 years

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DEVELOPMENT APPLICATION 2024/1104 ALTERATIONS TO DWELLING, GARAGE, CARPORT, SWIMMING POOL & RETAINING WALLS AT 26 EDWARD STREET, TENAMBIT (Cont.)

Hi

As a Maitland resident with a beneficial interest in a nearby property, I wish to object to the proposed development at #26 Edward Street Tenambit. The primary issue that concerns me is that the development does not make acceptable provision for the placement of a stormwater drainage pipe at the rear of the property given the plans show a setback of only 900mm.

I have been advised that Council requires drainage easements to be 1500mm in width. A pipe with a diameter of 225mm would be required to drain several upstream properties. Such a drainage system will be essential if infill development is to occur on these upstream properties. I understand it is Council's desire to encourage as much infill development as possible in order to meet State Government housing targets. As these lands are located in a very well serviced area of East Maitland, I fail to see how Council would raise objection to these lands being developed for additional housing.

I therefore request that the proposed development be amended to increase the rear setback by 600mm to 1500mm. Having viewed the plans, it would appear such a minor change could be accommodated without additional construction cost to the applicant.

Could you kindly acknowledge the receipt of my submission please.

Regards

██████████

## **11.6 Approval of Works In Kind Agreement – Construction of Shared Pathway, Thornton North – NHP Chisholm MR93 Pty Ltd**

<b>FILE NO:</b>	<b>103/41/74</b>
<b>ATTACHMENTS:</b>	<b>1. Draft Works In Kind Agreement (Under Separate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Acting Director City Planning Manager Strategic Planning Coordinator City Planning</b>
<b>AUTHOR:</b>	<b>Development Contributions Officer</b>
<b>MAITLAND'S FUTURE</b>	<b>1 Liveable Maitland</b>
<b>COUNCIL OBJECTIVE:</b>	<b>1.1.2 Connected living</b>

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### **EXECUTIVE SUMMARY**

*Council has received an application from NHP Chisholm MR93 Pty Ltd to enter into a Works in Kind Agreement for the construction of a shared pathway. This pathway forms part of an item listed in the works schedule of the Thornton North Development Contributions Plan.*

*The draft Agreement has been prepared in consultation with the Developer and Council's legal representatives, and is now presented for Council's consideration, with a recommendation for approval.*

### **OFFICER'S RECOMMENDATION**

#### **THAT**

- 1. The draft Works in Kind Agreement as presented in Attachment 1 to this report be approved.**
- 2. The General Manager be given delegated authority to execute the Agreement.**

### **REPORT**

Council granted development consent to NHP Chisholm MR93 Pty Ltd (the Developer) under Development Application 2016/2377 for the subdivision of land within the Thornton North Urban Release Area. The consent includes a range of conditions, including requirements to pay development contributions in accordance with the Thornton North Development Contributions Plan (TNCP) and to construct a shared path.

The Developer has applied to enter into a Works in Kind Agreement (WIKa) for the delivery of the portion of the shared path located within the development site. This item is identified in the TNCP works schedule, as shown in Table 1 below:

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APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF SHARED PATHWAY, THORNTON NORTH – NHP CHISHOLM MR93 PTY LTD (Cont.)

Item	Facility	Amount funded in TNCP
TN30	8.8Ha Various Linear Linkages	\$1,139,198

Table 1 – TNCP Items

Works have commenced, with development contributions paid on a stage-by-stage basis to enable the release of subdivision certificates for each stage. It is proposed that, as the item is levied under the Recreation and Open Space category of the DA, offsets will be applied against this category prior to the issuing of the Subdivision Certificate for Stage 2 of the relevant development consent, once the works are completed.

The offsets will represent part of the total value of works identified in the TNCP, based on an assessment of the length of shared pathway within the development site.

The location of the works is shown in Figure 1 below.



Figure 1 – WIKA Works Location Plan for TN30



APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF SHARED PATHWAY, THORNTON NORTH – NHP CHISHOLM MR93 PTY LTD (Cont.)

The indicative mapped pathway for TN30 in the Thornton North Plan, with the section of works the subject of this report highlighted is shown in Figure 2 below.



Figure 2 – Indicative Mapping for TN30

It is proposed that offsets in the Recreation and Open Space category of the DA be applied prior to the issuing of the Subdivision Certificate for Stage 2 of the development consent, as detailed in Table 2 below:

Recreation & Open Space Contributions levied under DA	Proposed Offset for TN30 Works	Balance of Contributions to be Paid
<b>\$206,606</b>	<b>\$54,004.86</b>	<b>\$152,601.14</b>

Table 2: Applicable Recreation & Open Space Contributions

## WORKS IN KIND AGREEMENT

The draft WIKa is provided in *Attachment 1* to this report.

Council's Works in Kind/Material Public Benefits Policy provides the framework for receiving, assessing, and preparing applications from developers seeking to enter into a WIKa, either in full or partial satisfaction of the payment of s7.11 development contributions. The Policy aims to ensure probity and transparency in the decision-making process, and to ensure compliance with the regulatory requirements of the *Environmental Planning and Assessment Act 1979*.

In accordance with the Policy, the following heads of consideration must be addressed as part of the assessment process:

- 1. The access, siting and design of the proposed facility in the context of the proposed development and adjoining current or future development that would be expected to benefit from the facility.**

Comment: The proposed works have been designed and located in accordance with the Thornton North Development Control Plan (DCP) and the TNCP. They have been assessed as part of Development Application 2016/2377, ensuring appropriate connectivity with adjoining sites and overall compliance with relevant plans and policies.

- 2. Whether the proposed WIKa will be to a suitable standard for the Council to eventually accept.**

Comment: Conditions of consent require construction plans to be submitted prior to the issue of the construction certificate for Stage 2 of the development. Inspections will be undertaken prior to the issue of the Practical Completion Certificate for the relevant stage to ensure the works are completed in accordance with the approved plans.

- 3. Whether the works schedule, particularly the design and cost of the specified facility, in the contributions plan remain valid or requires amendment.**

Comment: The TNCP is currently operating under a \$30,000 cap on development contributions. These arrangements have been in place since March 2011 and have prevented Council from indexing the works schedule or reviewing the designs and costs in the Plan. In consultation with Council's City Services Directorate, a review of the TN30 plans and costs has been undertaken. The funds allocated in the TNCP are based on this review, ensuring appropriate disbursement of funding across the entire length of TN30.

- 4. Whether the applicant proposes to carry out the work to a higher standard than the baseline facility specified in the contributions plan and whether there is any requirement or expectation for a credit against any other contributions.**

Comment: The Developer has indicated that their costs will exceed the value allowed for in the TNCP. However, the WIKa makes it clear that any additional costs will be borne by the Developer, and there is no expectation of reimbursement for any amount by which the works exceed the value specified in the TNCP.

APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF SHARED PATHWAY, THORNTON NORTH – NHP CHISHOLM MR93 PTY LTD (Cont.)

**5. The financial implications for cash-flow and the continued implementation of the works schedule.**

Comment: The WIKA proposes offsetting the TN30 works costs against the Recreation and Open Space contributions levied under DA 2016/2377. The contribution liability under the DA is sufficient to accommodate the offset, and it will have no negative impact on cash flow or the continued implementation of the works schedule.

## CONCLUSION

This report seeks approval of the draft WIKA. A detailed assessment has confirmed that the works will be undertaken in accordance with the TNCP and the plans approved under the development application.

Council has followed its adopted policy process for the receipt, review, and assessment of the WIKA. On this basis, it is recommended that Council approve the Agreement.

## CONSULTATION

Consultation has occurred with Council's Development Assessment and Compliance teams, and with the Transport and Infrastructure Engineering team within City Services.

As the WIKA relates to the delivery of items identified in an adopted Contributions Plan, community engagement is not required.

## FINANCIAL IMPLICATIONS

This matter has no direct financial impact on Council's adopted budget or forward estimates, as the works will be funded through offsets applied against contributions levied under DA 2016/2377.

Item	Value (excl. Gst)	Comments
<b>Expenditure</b>		
Value of Item	\$1,319,198	Total value attributed to item in the TNCP
Amount to be paid to the Developer	\$0.00	
Offset Amount	\$54,004.86	Development contributions offset in the Recreation and Open Space category for the value of works to be undertaken
<b>Income</b>		
Balance of Funds in the Thornton North Recreation and Open Space category @ 30 June 2025	\$18,237,877	

APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF SHARED PATHWAY, THORNTON NORTH –  
NHP CHISHOLM MR93 PTY LTD (Cont.)

### RISK IMPLICATIONS

Risk	Risk Rating	Proposed Treatment	Proposed Risk Rating	Resourcing
There is a risk that the works are not completed, or are completed to a standard below Council's requirements, which may lead to delays in delivery, additional rectification costs, or non-acceptance by Council.	High	The WIKA requires works to be undertaken in accordance with approved DA plans, Council's Manual of Engineering Standards, and subject to inspection and certification prior to acceptance and prior to providing the contribution offset.	Low	Within existing resources
There is a risk of non-compliance with obligations under the WIKA, DA conditions, or approved plans, which may lead to enforcement action, project delays, or additional costs for rectification.	High	Enforce compliance through inspections, directions, and rectification powers in the WIKA	Low	Within existing resources
There is a risk of disputes over valuation, reimbursement, or offsets under the WIKA, which may lead to delays in project delivery, increased administrative costs, or the need to invoke dispute resolution processes.	Medium	Apply cost verification and offsets strictly in accordance with the deed and TNCP; utilise dispute resolution provisions if necessary	Low	Within existing resources

### POLICY IMPLICATIONS

The recommendations are consistent with the TNCP and Council's Material Public Benefit / Works in Kind Agreement Policy.

### STATUTORY IMPLICATIONS

This report and the draft WIKA are consistent with the following legislation:

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*

**11.7 Approval of Works In Kind Agreement – Construction of Stormwater Culvert and Median, Springfield Drive, Lochinvar**  
**Applicant – Lochinvar Ridge Estate Pty Ltd Land Owners – E J Aird and Lochinvar Ridge Estate Pty Ltd**

<b>FILE NO:</b>	<b>103/41/69</b>
<b>ATTACHMENTS:</b>	<b>1. Draft Works In Kind Agreement (Under Seperate Cover)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Acting Director City Planning Manager Strategic Planning Coordinator City Planning</b>
<b>AUTHOR:</b>	<b>Development Contributions Officer</b>
<b>MAITLAND +10</b>	<b>Outcome 1 Liveable Maitland</b>
<b>COUNCIL OBJECTIVE:</b>	<b>1.2.3 Safe and efficient road networks</b>

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**EXECUTIVE SUMMARY**

*Council has received an application from Urban Land & Housing Pty Ltd (trading as Lochinvar Ridge Estate Pty Ltd) to enter into a Works in Kind Agreement. The Agreement proposes the partial construction of a road and stormwater basin identified in the Work Schedules of the Lochinvar Development Contributions Plan.*

*The draft Agreement has been prepared in consultation with the Developer and Council's legal representatives and is presented for Council's consideration with a recommendation for approval.*

**OFFICER'S RECOMMENDATION**

**THAT**

- 1. The draft Works in Kind Agreement as presented in Attachment 1 to this report be approved.**
- 2. The General Manager be given delegated authority to execute the Agreement.**

**REPORT**

Council granted development consent to Lochinvar Ridge Estate Pty Ltd (the Developer) under Development Applications 2017/1401 and 2021/1460 for the subdivision of land in the Lochinvar Urban Release Area. These consents include a range of conditions, including the requirement to pay development contributions in accordance with the Lochinvar Development Contributions Plan (LCP).

The Developer has submitted an application to enter into a Works in Kind Agreement (WIKa) for the delivery of items identified in the LCP work schedules as detailed in Table 1 below.



APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN, SPRINGFIELD DRIVE, LOCHINVAR  
 APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE ESTATE PTY LTD (Cont.)

Item	Facility	Amount funded in LCP
L43	Upgrade Existing Stormwater Basin 19 – fully contained within development site	\$102,299
L20	Median Construction & Access Management Works, Springfield Drive – partly contained within the development site	\$3,565,243

Table 1 – LCP Items

The stormwater works (Item L43), shown in Figure 1 below, have been completed under DA 2017/1401 and dedicated to Council.



Figure 1 – WIKA Works Location Plan for L43

The completed works are of a reduced scope compared to that identified for this item in the LCP. Following assessment by Council's Development Engineers, the value of the works has been determined as \$18,850. As there are no outstanding contributions under this development application, it is proposed that Council reimburse the Developer \$18,850 from the Stormwater Management category of the LCP.

APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN, SPRINGFIELD DRIVE, LOCHINVAR  
 APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE ESTATE PTY LTD (Cont.)

The road works associated with Item L20 are yet to be completed. Upon handover of the works to Council, it is proposed that a credit be applied against contributions levied in the Lochinvar Road and Traffic category under DA 2021/1460, equivalent to the value of the portion of works to be constructed, as detailed in Table 2 below.

DA Number	Road and Traffic Contributions Levied under DA 2021/1460	Value of L20 Works to be Offset	Balance of Road and Traffic Contributions to be Paid
21-1460	\$1,683,356.00	\$294,132.55	\$1,389,223.45

Table 2: Applicable Road & Traffic Contributions

Figure 2 below illustrates the extent of the road works to be completed under DA 2021/1460.



Figure 2 – WIKI Works Location Plan for L20

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APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN, SPRINGFIELD DRIVE, LOCHINVAR  
APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE ESTATE PTY LTD (Cont.)

## **WORKS IN KIND AGREEMENT**

The draft WIKA is provided as Attachment 1 to this report.

Council's *Works in Kind/Material Public Benefits Policy* sets the framework for the receipt, assessment and preparation of applications by developers seeking to enter into a WIKA in full or partial satisfaction of the payment of s7.11 development contributions. The Policy aims to ensure probity and transparency in the decision-making process and compliance with regulatory requirements under the *Environmental Planning and Assessment Act 1979*.

In accordance with the Policy, the following heads of consideration must be addressed as part of the assessment process:

- 1. The access, siting and design of the proposed facility in the context of the proposed development and adjoining current or future development that would be expected to benefit from the facility.**

Comment: The works have been subject to the development assessment and approval process, ensuring appropriate design, integration, and connectivity with adjoining sites, and compliance with the LCP and approved plans.

- 2. Whether the proposed WIKA will be to a suitable standard for the Council to eventually accept.**

Comment: The completed L43 works were inspected by Council's Engineers as part of the subdivision works approval process. The proposed L20 road works are to be undertaken in accordance with plans approved under DA 2021/1460. Inspections will be carried out prior to issuing the Practical Completion Certificate to ensure the works comply with the approved plans and Council's Manual of Engineering Standards.

- 3. Whether the works schedule, particularly the design and cost of the specified facility, in the contributions plan remain valid or requires amendment.**

Comment: The LCP has been operating under a \$30,000 cap since May 2024, preventing Council from indexing the work schedules or reviewing the designs and costs in the Plan. The funds allocated in the LCP for this portion of the works have been determined based on the available balance in the relevant category, to ensure appropriate disbursement of funding for construction of the remainder of the item.

- 4. Whether the applicant proposes to carry out the work to a higher standard than the baseline facility specified in the contributions plan and whether there is any requirement or expectation for a credit against any other contributions.**

Comment: The Developer has indicated that their costs exceed the amounts allowed for in the LCP for both items. However, the WIKA makes clear that any additional costs



APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN, SPRINGFIELD DRIVE, LOCHINVAR  
APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE ESTATE PTY LTD (Cont.)

will be borne by the Developer, with no expectation of reimbursement for amounts exceeding the values specified in the LCP.

**5. The financial implications for cash-flow and the continued implementation of the works schedule.**

Comment: The WIKA proposes reimbursement for the completed L43 works from the Stormwater Management category of the LCP. Sufficient funds are available in this category to make the payment.

The WIKA also proposes an offset against Road and Traffic contributions under DA 2021/1460 for the value of the L20 road works. This approach ensures adequate funds remain available to deliver other road projects in the Lochinvar Urban Release Area in the short to mid-term.

**CONCLUSION**

This report seeks approval of the draft WIKA. A detailed assessment has confirmed that the works have been, or will be, undertaken in accordance with plans approved under the relevant development applications and the LCP.

Council has followed its adopted policy process for the receipt, review, and assessment of the WIKA. On this basis, it is recommended that Council proceed with approval of the Agreement.

**CONSULTATION**

Consultation has occurred with Council's Development Assessment, City Services, Strategic Planning, and Development Engineering teams.

As the WIKA relates to the delivery of items identified in an adopted Contributions Plan, community engagement is not required.

APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN,  
 SPRINGFIELD DRIVE, LOCHINVAR  
 APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE  
 ESTATE PTY LTD (Cont.)

### FINANCIAL IMPLICATIONS

ITEM	VALUE (EXCL. GST)	COMMENTS
<b>Expenditure</b>		
Total Expenditure L43	\$18,850.00	Amount to be paid to the Developer
Total Offset L20	\$294,132.55	Development contributions offset in the Roads & Traffic category for the works
Total Expenditure	\$312,982.55	
<b>Income</b>		
Balance of Funds in the Lochinvar Stormwater Management category @ 30 June 2025	\$1,474,451.63	L43
Balance of Funds in the Lochinvar Road & Traffic category @ 30 June 2025	\$5,831,009.06	L20
Total Income	\$7,305,460.69	
Result	\$6,992,478.14	

APPROVAL OF WORKS IN KIND AGREEMENT – CONSTRUCTION OF STORMWATER CULVERT AND MEDIAN, SPRINGFIELD DRIVE, LOCHINVAR  
 APPLICANT – LOCHINVAR RIDGE ESTATE PTY LTD LAND OWNERS – E J AIRD AND LOCHINVAR RIDGE ESTATE PTY LTD (Cont.)

## RISK IMPLICATIONS

Risk	Risk Rating	Proposed Treatment	Proposed Risk Rating	Resourcing
There is a risk that the works are not completed, or are completed to a standard below Council's requirements, which may lead to delays in acceptance, increased rectification costs, or impacts on the timely provision of infrastructure.	High	The WIKA requires works to be undertaken in accordance with approved DA plans, Council's Manual of Engineering Standards, and subject to inspection and certification prior to acceptance	Low	Within existing resources
There is a risk of non-compliance with obligations under the WIKA, DA conditions, or approved plans, which may lead to delays in project delivery, the need for enforcement action, or additional costs to achieve compliance.	High	Enforce compliance through inspections, directions, and rectification powers in the WIKA	Low	Within existing resources
There is a risk of disputes over valuation, reimbursement, or offsets under the WIKA, which may lead to delays in delivery, increased administrative or legal costs, and the need to utilise dispute resolution processes.	Medium	Apply cost verification and offset strictly in accordance with the WIKA and LCP; utilise dispute resolution provisions if necessary	Low	Within existing resources

## POLICY IMPLICATIONS

The recommendations are consistent with Council's Lochinvar Contributions Plan and Material Public Benefit / Works in Kind Agreement Policy.

## STATUTORY IMPLICATIONS

This report and the draft WIKA are consistent with the following legislation:

- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*

## 11.8 Management of Feral and/or Infant Animals Policy Review

FILE NO:	106/2
ATTACHMENTS:	<ol style="list-style-type: none"><li>1. Management of Feral and or Infant Animals Policy 2020</li><li>2. Draft Feral and or Infant Animals Policy</li></ol>
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

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### 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 (Attachment 2) 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.

## MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)

**REPORT**

The *Companion Animals Act 1998* (“The Act”) requires that a person who seizes a Companion Animal under the provisions of the Act, must cause the seized animal to be returned to its owner, delivered to the Council pound, or surrender the animal to an Authorised Council Officer within a reasonable time. The Act outlines procedures for managing the animals, including statutory holding periods.

In some case the animals which have been seized are feral, and in other cases an infant animal is of such a young age that it cannot support its own life. In these cases, the Act Section 64(2) requires Council to have a policy which provides clear guidance on the management of these animals, including alternatives to euthanasia, and euthanasia where alternatives are not available. In addition, the Policy includes procedures where it is considered cruel to keep the animal caged for any nominated statutory period as defined in Section 64(1) of the Act.

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 Management of Feral and/or Infant Animals Policy was adopted by Council in October 2015 and reviewed in February 2020 (Attachment 1). The Policy has been reviewed to reflect legislative amendments.

**CONCLUSION**

The review of the Management of Feral and/or Infant Animals Policy confirmed that the current guidelines, procedures, and safety measures for handling Feral and/or Infant Animals remain effective in managing associated risks. Additionally, it was reaffirmed that the Council complies with legislative requirements for the seizure of animals, ensuring that no situation arises where it would be deemed inhumane to keep the animal confined. It is anticipated that the adoption of the updated Management of Feral and/or Infant Animals Policy will continue to facilitate the servicing Companion Animal concerns in line with legislative requirements and customer expectations.

**FINANCIAL IMPLICATIONS**

While the implementation of this policy is not expected to generate large-scale costs, it is important to acknowledge that some minor administrative or operational expenses may be incurred. It is estimated the total cost of implementation to be approximately \$250 annually. These costs are expected to be absorbed within existing budgets and resources, without the need for additional funding allocations. Providing this approximate estimate to articulate these modest financial impacts aims to ensure transparency and demonstrate fiscal responsibility in executing the policy.

**CONSULTATION**

The Council will facilitate public consultation via its official website, providing community members with the opportunity to review the policy and submit feedback. This document was created with consultation between the Regulatory Compliance Coordinator, Team Leader Rangers and the Maitland Animal Management Facility staff.

## MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)

**RISK**

Risk	Risk rating (H,M,L)	Proposed treatment	Proposed risk rating (H,M,L)	Resourcing- within or additional (if additional explain)
There is a risk that by not creating and adopting this Policy that Maitland City Council exposes itself to legal, reputational and operational risks. This may lead to legal action being taken against Maitland City Council for breaches of the Companion Animal Act.	High	Adoption of the Management of Feral and/or Infant Animals Policy	Low	Within existing resources
There is a risk that by not adopting the policy that operational resource allocated to the Management of Companion Animals may increase.	Medium	Adoption of the policy enables Maitland City Council to implement its objectives in accordance with legislative requirements and within existing resource allocation and operational budgets	Low	Within existing resources

**POLICY IMPLICATIONS**

This policy was originally adopted by Council in October 2015 and subsequently reviewed in February 2020. The current update incorporates revisions to reflect recent legislative amendments.

**STATUTORY IMPLICATIONS**

There are no statutory implications under the *Local Government Act 1993* associated with this matter. The Policy supports delivery of Council's statutory function under the *Companion Animals Act 1998* and has been reviewed and updated to reflect legislative amendments to the Companion Animal Regulation 2018.

## **City Planning**

### **Management of Feral and/or Infant Animals Policy Review**

### **Management of Feral and or Infant Animals Policy 2020**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 3**

# Management of Feral and/or Infant Animals Policy

**Date Adopted:** 10 February 2020

**Version:** 2.1

## Policy Objectives

The objective of this policy is to provide a mechanism to deal with animals which are feral and a danger for staff to handle and infant animals which need constant intensive care.

## Policy Scope

This policy provides the framework for consistent decision making on the management of feral and/or infant animals. The policy applies to Maitland City Council, and all its councillors, staff and contracted service providers.

## Policy Statement

This policy aims to provide a consistent and transparent approach in dealing with feral and infant animals which come into Council's care (and in turn Council's contracted service provider) under the provisions of the Companion Animals Act 1998.

## 1. Introduction

It is a requirement of the Companion Animals Act 1998 (from here on simply referred to as "the Act"), that a person who seizes a Companion Animal under the provisions of the Act, must cause the seized animal to be returned to its owner, delivered to the Council pound, or surrender the animal to an Authorised Council Officer within a reasonable time. The Act then provides for procedures in dealing with the animals including statutory holding periods.

In some case the animals which have been seized are feral, and in other cases an infant animal is of such a young age that it cannot support its own life. In these cases the Act Section 64(2) requires Council to have a policy which provides a clear direction on how these animals are to be dealt with, including alternatives to euthanasia, and euthanasia where alternatives are not available, or where it is considered cruel to keep the animal caged for any nominated statutory period as defined in Section 64(1) of the Act. The standard holding period currently stands at seven days for unidentified animals and 14 days for identified animals.

## 2. Feral Companion Animals

Animals accepted into Council's pound facility suspected of being feral must be assessed by either a senior staff member of that pound facility or a veterinarian and the results of the assessment



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**MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)**

documented and signed off by the respective senior staff member or veterinarian to validate that the animal is assessed as 'feral'.

Should the animal be deemed as feral and reasonable investigations into its identification have been made, and it is considered cruel to keep the animal caged for the statutory holding period, then Council authorises that the animal may be euthanised prior to the standard statutory holding period.

### **3. Infant Companion Animals**

Animals accepted into Council's pound facility identified as being infant animals must be assessed by either a senior staff member of that pound facility or a veterinarian and the results of the assessment documented and signed off by the respective senior staff member or veterinarian to validate that the animal is assessed as 'infant'.

Should the infant animal be of such a size and age that survival in the long term would be remote, then Council authorises the euthanasia under this policy.

Should the infant animal be of such a size and age that survival is possible through intensive care external of the pound, or it is in the best interest of the infant animal to warrant early release, then Council authorises the release of the infant as an alternative to euthanasia, subject to the early release conditions as outlined within this policy. If suitable alternatives to euthanasia are not available at the time then Council authorises the euthanasia of the infant companion animal.

#### **3.1 Early release as an alternative to euthanasia**

Companion animals identified as being an infant may be released on a permanent basis prior to the expiration of the statutory holding period as an alternative to euthanasia, or on the basis that such action is in the best interests of the animals welfare.

Early release is subject to the animal only being released to the following organisations:

- Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA)
- An approved foster carer with a current Memorandum of Understanding in partnership with RSPCA NSW

### **4. Conclusion**

This policy authorises the euthanasia of feral and/or infant companion animals provided that the framework and processes described are followed.

Euthanasia must only be considered after reasonable consideration has been given to alternatives and must be carried out in accordance with industry standards.

Prior to euthanasia a senior staff member at the pound facility or a veterinarian must undertake an assessment, document and sign-off on the recommended course of action.

## MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)

## Policy Definitions

**Council pound facility:** Includes any pound facility operated by Council's contracted service provider

**Feral animal:** Means a dog or cat whose owner is unidentified and has been living as a wild animal in undomesticated circumstances and, demonstrates such wild behaviour that handling the animal would pose a risk to staff and be seen as cruel to keeping the animal caged for any length of time than deemed necessary

**Infant animal:** Means a dog or cat in the first stage of existence and refers to an animal that is not able to feed and fend for itself or is of such age that keeping it within a pound facility would place the animal's welfare at risk

**Unidentified animal:** Means a dog or cat that has no form of identification contained on its being, such as a microchip or collar and tag containing owner's details

## Policy Administration

<b>Business Group:</b>	City Planning
<b>Responsible officer:</b>	Director City Planning
<b>Council reference:</b>	Ordinary Council Meeting 27 October 2015 – Item 10.3
<b>Policy review date:</b>	Three (3) years from date of adoption
<b>File number:</b>	22/1
<b>Relevant legislation</b>	<ul style="list-style-type: none"> <li>• Companion Animals Act 1998 (NSW)</li> <li>• Companion Animals Regulation 2008 (NSW)</li> </ul>
<b>Related documents</b>	<ul style="list-style-type: none"> <li>• Code of Conduct</li> </ul>

## Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	27/10/25	New policy adopted
2.0	10/02/2020	Policy reviewed, no changes required. ELT approval policy renewal as is.
2.1	-	Updated to new branding and alignment to organisation structure. No change to content.

## **City Planning**

# **Management of Feral and/or Infant Animals Policy Review**

## **Draft Feral and/or Infant Animals Policy**

**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 3**

# Management of Feral and/or Infant Animals Policy

**Date Adopted:** TBC

**Version:** 3.0

## Policy Objectives

The purpose of this policy is to establish guidelines for managing feral animals, which may pose a risk to staff, as well as very young animals that are unable to survive independently and require continuous intensive care.

## Policy Scope

This policy provides the framework for consistent decision making on the management of feral and/or infant animals. The policy applies to Maitland City Council and contracted service providers.

## Policy Statement

This policy aims to provide a consistent and transparent approach in dealing with feral and infant animals which come into Council's care (and in turn Council's contracted service provider) under the provisions of the *Companion Animals Act 1998*.

### 1. Introduction

It is a requirement of the *Companion Animals Act 1998* (from here on simply referred to as "the Act"), that a person who seizes a Companion Animal under the provisions of the Act, must cause the seized animal to be returned to its owner, delivered to the Council pound, or surrender the animal to an Authorised Council Officer within a reasonable time. The Act then provides for procedures in dealing with the animals including statutory holding periods.

In some case the animals which have been seized are feral, and in other cases an infant animal is of such a young age that it cannot support its own life. In these cases the Act Section 64(2) requires Council to have a policy which provides a clear direction on how these animals are to be managed, including alternatives to euthanasia, and euthanasia where alternatives are not available, or where it is considered cruel to keep the animal caged for any nominated statutory period as defined in Section 64(1) of the Act. The standard holding period currently stands at seven days for unidentified animals and 14 days for identified animals.

### 2. Feral Companion Animals

If the animal is determined to be feral and reasonable efforts to identify it have been made, and keeping the animal confined for the required statutory holding period is deemed cruel, the Council may authorize euthanasia of the animal before the completion of the standard holding period.

## MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)

### 3. Infant Companion Animals

Animals accepted into Council's pound facility identified as being infant animals must be assessed by a veterinarian and the results of the assessment documented and signed off by the respective veterinarian to validate that the animal is assessed as 'infant'.

Should the infant animal be of such a size and age that survival in the long term would be remote, then Council may authorise the euthanasia under this policy.

Should the infant animal be of such a size and age that survival is possible through intensive care external of the pound, or it is in the best interest of the infant animal to warrant early release, then Council authorises the release of the infant as an alternative to euthanasia, subject to the early release conditions as outlined within this policy. If suitable alternatives to euthanasia are not available at the time then Council may authorise the euthanasia of the infant companion animal.

#### 3.1 Early release as an alternative to euthanasia

Companion animals identified as being an infant may be released on a permanent basis prior to the expiration of the statutory holding period as an alternative to euthanasia, or on the basis that such action is in the best interests of the animals welfare.

Early release is subject to the animal only being released to the following organisations:

- Royal Society for the Prevention of Cruelty to Animals NSW (RSPCA)
- An approved rescue organisation

### 4. Conclusion

This policy authorises the euthanasia of feral and/or infant companion animals provided that the framework and processes described are followed.

Euthanasia must only be considered after reasonable consideration has been given to alternatives and must be carried out in accordance with industry standards.

Prior to euthanasia a veterinarian must undertake an assessment, document and sign-off on the recommended course of action.

### Policy Definitions

<b>Council pound facility</b>	Includes any pound facility operated by Council's contracted service provider
<b>Feral animal</b>	Means a dog or cat whose owner is either identified or unidentified and has been living as a wild animal in undomesticated circumstances and, demonstrates such wild behaviour that handling the animal would pose a risk to staff and be seen as cruel to keeping the animal caged for any length of time than deemed necessary
<b>Infant animal</b>	Means a dog or cat in the first stage of existence and refers to an animal that is not able to feed and fend for itself or is of such age that keeping it within a pound facility would place the animal's welfare at risk
<b>Unidentified animal</b>	Means a dog or cat that has no form of identification contained on its being, such as a microchip or collar and tag containing owner's details

## MANAGEMENT OF FERAL AND/OR INFANT ANIMALS POLICY REVIEW (Cont.)

**Policy Administration**

<b>Business Group:</b>	City Planning
<b>Responsible officer:</b>	Director City Planning
<b>Council reference:</b>	Ordinary Council Meeting 27 October 2015 – Item 10.3
<b>Policy review date:</b>	Three (3) years from date of adoption
<b>File number:</b>	22/1
<b>Relevant legislation</b>	Companion Animals Act 1998 (NSW) Companion Animals Regulation 2018 (NSW)
<b>Related documents</b>	Code of Conduct

**Policy History**

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	27/10/2015	New policy adopted
2.0	10/02/2020	Policy reviewed, no changes required. ELT approved policy renewal as is
3.0	TBC	Reviewed and updated to reflect amendments to the Companion Animals Act 1998. New policy format applied.

## 12 City Services

### 12.1 Maitland Healthstays Development Application – Maitland City Council Contribution to Application Fees

FILE NO:	10/5/18
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Asset Management Coordinator Community & Recreation Planning
MAITLAND'S FUTURE	3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.3.2 Advocacy and partnerships

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#### EXECUTIVE SUMMARY

*At the 15 July 2025 Council meeting, Council resolved to fund up to \$6,000 to cover the costs of the Planning Reform Fee and Archiving Fee. Due to the overall cost of the development being higher than initially expected, the associated NSW Government Planning Reform Fee has now been determined to total \$8,086. Council would need to fund the additional \$2,086 or the applicant would be required to fund the additional amount.*

#### OFFICER'S RECOMMENDATION

##### THAT

1. Council fund a total of \$8,086.00 to cover the NSW Government Planning Reform Fee and Archiving Fee for the Maitland Healthstays Project on Turton Street East Maitland relating to DA/2025/722. It is noted that should this not be approved the applicant would need to fund the difference.
2. All funding will be sourced from the Community Projects Materials budget, not the Community Grants Program budget, as previously resolved.

#### REPORT

At the 15 July 2025 Council meeting, Council resolved to waive the cost of the development application fees for the Maitland Healthstays Project on Turton Street East Maitland and fund up to \$6,000 for the Planning Reform fee and Archiving Fee from the community grants program budget.

## MAITLAND HEALTHSTAYS DEVELOPMENT APPLICATION - MAITLAND CITY COUNCIL CONTRIBUTION TO APPLICATION FEES (Cont.)

Council's development application fees, including Council's Archiving Fee have been waived in line with the Council resolution. However, following the lodgement of the Development Application for the Maitland Healthstays Project, the NSW Government Planning Reform Fee has been determined at \$8,086.00, resulting in this fee having a funding gap of \$2,086.00. The increased NSW Government Planning Reform Fee is a result of the overall cost of the development being higher than initially expected. Council Officers are seeking Council endorsement to increase the funds contributed by Council to \$8,086.00.

Council Officers note that the resolution on 15 July 2025 initially referred to the funds covering the cost of this fee to be sourced through the Community Grants Program budget. It is now proposed that the full associated fees will instead be sourced from the Community Projects Materials budget line ensuring that the full Community Grants Program budget is retained for 2025/26 grants.

### CONSULTATION

Council Officers have been in communication with the applicant regarding this application. Consultation with internal teams (Community & Recreation Planning, Asset Management, City Planning) have also occurred regarding process relating to the associated fees for this Development Application.

### CONCLUSION

The NSW Government Planning Reform Fee is higher than initially expected at the time of the 15 July 2025 Council resolution, now totalling \$8,086.00. To provide clarity to the applicant, Council Officers are seeking Council consideration regarding the funding of the additional \$2,086.00.

### FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

Source	Amount (excl GST)	Comments
<b>INCOME</b>		
Community Projects Materials	\$16,530.27	Annual operational budget
<b>CURRENT INCOME BUDGET</b>	<b>\$16,530.27</b>	
<b>EXPENDITURE</b>		
Proposed Maitland Healthstays Project Planning Reform Fee and Archiving Fee Contribution	\$8,086.00	NSW Government Planning Reform Fee
<b>TOTAL COST</b>	<b>\$8,086.00</b>	
<b>RESULT</b>	<b>\$8,444.27</b>	Remaining 25/26 budget available



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MAITLAND HEALTHSTAYS DEVELOPMENT APPLICATION - MAITLAND CITY COUNCIL CONTRIBUTION TO APPLICATION FEES (Cont.)
**RISK IMPLICATIONS**

Risk	Risk rating	Proposed treatment	Proposed risk rating	Resourcing – existing or additional
There is a reputational risk of Council not covering the outstanding fee that may lead to a fractured relationship with the applicant.	Medium	Council adopt the recommendation.	Low	Within existing resources
There is a reputational risk of Council failing to cover the outstanding fee, impacting the delivery of the Healthstays Project that may lead to poor community outcomes.	Medium	Council adopt the recommendation.	Low	Within existing resources
There is a financial risk of overcommitting on existing operational budget for community donations that may lead to delays or delivery impacts on other community projects or activities led by Council.	High	A governance framework needs to be explored internally to align process and budget allocation for donations, this may result in a new procedure or protocol.	Low	Within existing resources – donation funding allocation to be determined
There is a reputational risk of perceived lack of transparency regarding how donations are determined by Council that may lead to a damaged reputation within the community.	High	A governance framework needs to be explored internally to align process and budget allocation for donations, this may result in a new procedure or protocol.	Low	Within existing resources – donation funding allocation to be determined

**POLICY IMPLICATIONS**

This matter is in accordance with:

- Code of Conduct
- Community Grants Program Policy

**STATUTORY IMPLICATIONS**

There are no statutory implications under the Local Government Act 1993 with this matter.

## **12.2 Maitland Park Sports & Recreation Committee and Maitland Sport and Recreation Advisory Board Future Use of Former Committee Funds.**

<b>FILE NO:</b>	<b>35/7/8</b>
<b>ATTACHMENTS:</b>	<b>Nil</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Acting Director City Services</b>
<b>AUTHOR:</b>	<b>Coordinator Major Venues &amp; Facilities</b>
<b>MAITLAND'S FUTURE</b>	<b>1 Liveable Maitland</b>
<b>COUNCIL OBJECTIVE:</b>	<b>1.3.1 Community connections</b>

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### **EXECUTIVE SUMMARY**

*At the Council Meeting on 20 May 2025, the Council endorsed the Committee Review Update report, which included recommendations for a new Committee Structure previously presented on 18 March 2025. As part of this new structure, several Committees are being dissolved. Two of these committees currently hold funds in their operating accounts, which now need to be transferred to Council. This report provides background information and outlines recommendations for how these funds should be allocated to community projects.*

### **OFFICER'S RECOMMENDATION**

#### **THAT**

- 1. The Maitland Park Sports & Recreation Committee funds be transferred to Council for the installation of water fountains around Maitland Park and the installation of memorial plaques for two committee members.**
- 2. The Maitland Sport and Recreation Advisory Board funds be transferred to Council and included in the Sports & Arts High Achievers Grant funding program.**
- 3. Council acknowledges the dedication and hard work of the above committees and community volunteers.**

### **REPORT**

The adopted Council report presented at the Council Meeting 18 March 2025, recommended that the Section 355 committees be reduced from 29 to 17 committees. The new committee structure was identified to align with Maitland's Future (Community Strategic Plan).

The following committees are designed to support the needs of the community moving forward:

- Culture and Community
  - Sport, Recreation and Leisure
  - Environment and Sustainability
  - City Planning and Design
  - Property Advisory Panel
-

## MAITLAND PARK SPORTS & RECREATION COMMITTEE AND MAITLAND SPORT AND RECREATION ADVISORY BOARD FUTURE USE OF FORMER COMMITTEE FUNDS. (Cont.)

The newly established Sport, Recreation and Leisure Strategic Advisory Committee will replace the two committees below:

- The Maitland Park Sports and Recreation Committee, and
- The Maitland Sports and Recreation Advisory Board

The above committees currently have funding in their operating accounts that need to be transferred over to Council. This report provides background and recommendations for the funds to be allocated to various projects.

### BACKGROUND

Both the Maitland Park Sports and Recreation Committee, and the Maitland Sports and Recreation Advisory Board currently hold community-raised funds in external bank accounts.

Current Funds Held:

COMMITTEE	ACCOUNT TYPE	BALANCE	NOTES
Maitland Park Sports and Recreation Committee	General Fund	\$1,018.24	Funds raised when the committee managed all bookings for Maitland Park
	Investment Fund	\$42,573.82	
<b>Total</b>		<b>\$43,592.06</b>	
Maitland Sports and Recreation Advisory Board	General Fund	\$581.53	Funds raised via community raffle (vehicle)
	Investment Fund	\$36,149.04	
<b>Total</b>		<b>\$36,730.57</b>	

### CONSULTATION

Council staff consulted with the Maitland Park Sports and Recreation Committee regarding their remaining funds. Members supported using the funds for the installation of drinking stations within Maitland Park and for the installation of recognition plaques honouring past committee members James Smith and Irene Hemsworth. All user groups will be consulted to determine suitable locations for the fountains around Maitland Park as there are multiple user groups and it is important to consider the Maitland Park Master Plan.

It is proposed that the two recognition plaques be installed as part of a “Celebration Wall” within Maitland Park, with the location to be confirmed, in consultation with all user groups. Further discussions will be held with family members regarding wording and design. These plaques will be funded through the committee’s funds.

MAITLAND PARK SPORTS & RECREATION COMMITTEE AND MAITLAND SPORT AND RECREATION ADVISORY BOARD FUTURE USE OF FORMER COMMITTEE FUNDS. (Cont.)

The Chairperson of the Maitland Sports and Recreation Advisory Board contacted Council 12 months ago to find a resolution to the committees held funds. The Maitland Sports and Recreation Advisory Board, which had not met for some time, recommended that its remaining funds be allocated to the Sports & Arts High Achievers Grant Program. A vote of members supported this recommendation to hold the funds in trust to continue supporting the program in line with the Board's original purpose.

Additionally, consultation has occurred with the community members of the Sport, Recreation and Leisure Advisory Committee regarding the former committee funds returning to Council for projects relating to the committee purpose.

### RISK IMPLICATIONS

RISK	RISK RATING	PROPOSED TREATMENT	PROPOSED RISK RATING	RESOURCING - WITHIN OR ADDITIONAL
There is a financial risk that funds are not successfully transferred due to incomplete or outdated banking details that may lead to funding shortfalls for project delivery	Medium	Work with Manager Finance & Procurement, Committee members and Banking institutes to confirm account access and authority	Low	Within existing resources
There is a reputation risk that Community perception of misuse or misallocation of funds that may lead to loss of trust in Council	High	Communicate proposed use of funds clearly to former committee members. Confirmation of support.	Low	Within existing resources
There is an operational risk of delays in project delivery (e.g. drinking fountains, plaques) due to procurement or installation issues that may lead to community dissatisfaction	Medium	Pre-obtain quotes and delivery timelines, and install in line with master plan	Low	Within existing resources
There is asset management risk that ongoing maintenance of installed items are not accounted for in future budgets that may lead to shortfalls in future budgets	Medium	Confirmed that ongoing maintenance of fountains and plaques will be included Council's existing budget	Low	Within existing resources

MAITLAND PARK SPORTS & RECREATION COMMITTEE AND MAITLAND SPORT AND RECREATION ADVISORY BOARD FUTURE USE OF FORMER COMMITTEE FUNDS. (Cont.)

## **CONCLUSION**

The transfer of funds from the Maitland Park Sports and Recreation Committee and the Maitland Sports and Recreation Advisory Board to Council will enable the delivery of community focused projects, including the installation of drinking fountains at Maitland Park and continued support for the Sports and Arts High Achievers Grant Program. The recommendation will also recognise the contributions of past committee members through commemorative plaques.

## **FINANCIAL IMPLICATIONS**

The transfer of funds from the Maitland Park Sports and Recreation Committee and the Maitland Sports and Recreation Advisory Board to Council will enable the delivery of community focused projects, including the installation of drinking fountains at Maitland Park and continued support for the Sports and Arts High Achievers Grant Program. The recommendation will also recognise the contributions of past committee members through commemorative plaques.

Ongoing maintenance of the drinking fountains and plaques will be funded through Council's existing maintenance budget.

## **POLICY IMPLICATIONS**

- Procurement Policy 2022
- Community Grants Program Policy 2025
- Asset Management Policy 2024

## **STATUTORY IMPLICATIONS**

There are no statutory implications under the Local Government Act 1993 with this matter.

### 12.3 Local Traffic Committee Meeting Minutes (August 2025)

FILE NO:	140/5
ATTACHMENTS:	<ol style="list-style-type: none"><li>1. LTC Minutes – 7 August 2025 (Under Separate Cover)</li><li>2. Item 5.1 – 2025 Riverlights Multicultural Festival – Event Traffic Management</li></ol>
RESPONSIBLE OFFICER:	Acting Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Transport & Infrastructure Engineering
MAITLAND'S FUTURE	1 Liveable Maitland
COUNCIL OBJECTIVE:	1.2.1 Efficient and sustainable movement

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#### EXECUTIVE SUMMARY

*The minutes of Maitland City Council's Local Traffic Committee meeting held on Thursday 7 August 2025 are attached for information. At this meeting, temporary road closure applications were considered for one (1) event. Council resolution is required to implement the temporary road closure associated with the management of the event.*

*On 28 July 2025, Council was informed of changes to the LTC Authorisation and Delegation Instrument. The LTC will be now known as the Local Transport Forum (LTF).*

#### OFFICER'S RECOMMENDATION

##### THAT

1. The Local Traffic Committee meeting minutes of 7 August 2025 be noted.
2. The road closures for the following event as recommended in the attached report be approved:
  - a. 2025 Riverlights Multicultural Festival – Event Traffic Management

#### REPORT

The minutes of Maitland City Council's Local Traffic Committee (LTC) Meeting held on Thursday 7 August 2025 are attached for information. The LTC recommended regulatory items contained within these minutes have been authorised by the General Manager under Council's Instrument of Delegated Authority, dated 20 May 2025.

One (1) event involving temporary road closures was considered by the Local Traffic Committee at the meeting held on 7 August 2025 as tabled below.

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## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

Events / Road Closure/s	Event Timeframe
2025 Riverlights Multicultural Festival	8 – 12 October 2025

Approval is sought to implement the temporary road closures associated with the traffic management recommended for the event. The agenda items with recommended closures for the above event are attached.

On 28 July 2025, Council was informed of changes to the LTC Authorisation and Delegation Instrument. The LTC will be now known as the Local Transport Forum (LTF) with the changes and further information contained within the minutes. Due to the timing of the release of the changes and the scheduled August LTC meeting, LTC items were assessed using the new Authorisation and Delegation Instrument. All future meetings will be known as the Local Transport Forum (LTF).

### CONCLUSION

The minutes for the LTC meeting held on 7 August 2025 are attached for information. Approval is sought to implement the temporary road closures associated with traffic management for the reported event.

### CONSULTATION

The LTC agenda is issued prior to the meeting to allow LTC members to undertake any internal or external consultation as required prior to the LTC meeting. Items, including both agenda items and general business are discussed with all LTC participants prior to concluding recommendations and issuing of minutes.

In accordance with the Roads Act, the LTC agenda event and associated road closures were advertised in the local newspaper for a period of 28 days to allow the public to submit any comment. This is also advertised on TfNSW's OneRoad platform.

Event / Road Closure	Notification Publication Date
2025 Riverlights Multicultural Festival	13 June 2025

A briefing was provided to Councillors on 2 September 2025 advising of the changes from LTC to LTF.

## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

**RISK IMPLICATIONS**

<b>Risk</b>	<b>Risk Rating</b>	<b>Proposed Treatment</b>	<b>Proposed Risk Rating</b>	<b>Resourcing</b>
There is a financial risk of the proposed works increasing Councils assets base that may lead to increased maintenance and resourcing requirements.	High	Anticipated increases are expected to be negligible to minor for inclusion within total assets base.	Low	Use existing resources for ongoing management and maintenance.
There is an operational risk of the proposed event traffic & transport management being unsuitable that may lead to changes being required to the event traffic management.	Med	Review and Recommendation for temporary road closures approval has occurred through Local Traffic Committee reducing the potential for this risk.	Low	Use existing resources for ongoing assessment and recommendations.
There is a reputational risk of publicised events not proceeding if approval is not granted for the associated road closures that may lead to reputational damage to Council for not appropriately managing the event approval process in a timely manner.	High	Application processes allow for adequate time to assess and process applications to ensure road closures can be recommended for approval in advance of the event.	Low	Use existing resources for ongoing assessment and recommendations.
There is a governance and reputational risk of changes to LTC Authorisation and Delegation Instrument meaning that the meeting was not conducted correctly that may lead to reputational damage to Council	High	The August LTC meeting items were assessed using the new Authorisation and Delegation Instrument with a TfNSW representative attending the meeting. The previous LTC instrument was generally more onerous.	Low	Use existing resources



## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

**FINANCIAL IMPLICATIONS**

The costs associated with application assessment and road closure advertising are charged in accordance with Councils adopted fees and charges. Council costs associated with providing regulatory signage and line marking are to be incorporated within existing CAPEX or OPEX budget allocations. Council organised event road closures are to be funded by the events budget.

All third party works, events and road closures, including works associated with subdivisions are at their cost.

**POLICY IMPLICATIONS**

This report relates to and is consistent with Councils adopted policies including:

- Asset Management Policy and associated adopted Asset Management Strategy and Asset Management Plans.
- Activities on Public Roads Policy.
- Events Policy

**STATUTORY IMPLICATIONS**

The process associated with Local Traffic Committee and approval for works and event road closures is in line with relevant provisions including Section 115 of the Roads Act 1993 and Section 226(d.) of the Local Government Act.

There are no statutory implications under the Local Government Act 1993 with this matter.

## **City Services**

### **Local Traffic Committee Meeting Minutes (August 2025)**

#### **Item 5.1 – 2025 Riverlights Multicultural Festival – Event Traffic Management**

**Meeting Date: 16 September 2025**

**Attachment No: 2**

**Number of Pages: 10**

7 AUGUST 2025

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## 5 LOCAL TRAFFIC COMMITTEE REPORTS

### 5.1 2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT

**FILE NO:** 2025/437790

**ATTACHMENTS:**

1. Riverlights Traffic Guidance Scheme - Pre Event Closure
2. Riverlights Traffic Guidance Scheme - Event Closure

**AUTHOR:** Traffic Management Officer  
Operations Manager Transport & Infrastructure Engineering  
Events Officer  
Events Officer  
Coordinator City Events & Activation

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#### EXECUTIVE SUMMARY

*Maitland Riverlights will be held on Saturday 11 October 2025, with the set up and pack down of stalls and infrastructure occurring from Wednesday 8 October 2025 to Sunday 12 October 2025.*

*Council proposes a closure footprint consisting of The Levee Shared Zone, Dransfield Lane, and Bulwer Street, Maitland. The Traffic Guidance Scheme for the event is submitted to the Local Traffic Committee for review and acceptance.*

#### OFFICER'S RECOMMENDATION

##### THAT

1. The following temporary road closures associated with the set up and presentation of the proposed Maitland Riverlights Festival be approved:  
  
From 3pm Wednesday 8 October 2025 to 5pm Sunday 12 October 2025:
  - a) Bulwer Street- from High Street to just north of 10 Bulwer Street, Maitland.
  - b) Dransfield Lane- from Bulwer Street and Elgin Street, Maitland.  
From 3pm Thursday 9 October 2025 to 5pm Sunday 12 October 2025:
  - c) The Levee- from Elgin Street to Bourke Street, Maitland.
2. The installation of road closure devices and signs to affect the proposed road closures also be approved.

## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)

**PURPOSE**

The purpose of the temporary road closures is to provide event traffic management control to address public safety for the running of Maitland Riverlights. Stalls, food trucks and activities will be conducted within the closure areas of The Levee, Bulwer Street and Dransfield Lane, Maitland.

**BACKGROUND**

Maitland Riverlights Festival celebrates diversity through food, music, dance and interactive experiences. The event transforms The Levee into a global village. Visitors can see, taste, feel and experience the different cultures being demonstrated and activities such as live music, dancing, language classes, lantern making and cooking demonstrations.

This year's event will be held on Saturday 11 October 2025, with the set up and pack down of stalls and infrastructure occurring from Wednesday 8 October 2025 to Sunday 12 October 2025. Council proposes a closure footprint consisting of The Levee Shared Zone, Dransfield Lane, and Bulwer Street, Maitland.

**PROPOSAL**

A concept Traffic Guidance Scheme Plan has been prepared by Council for the purpose of demonstrating closure points based upon previously held events. The Traffic Guidance Scheme (TGS) plan has been updated for this footprint. The footprint consists of:

- The Levee – Manned closure between Elgin Street and Bourke Street, Maitland
- Bulwer Street – Manned closure from High Street to just north of 10 Bulwer Street, Maitland.
- Dransfield Lane – Unmanned closure between Bulwer Street and Elgin Street, Maitland

An unmanned road closure has been nominated at Dransfield Lane due to low road volumes. Manned road closures have been nominated for bump in/out and during event times at High Street and Bulwer Street to help facilitate service vehicle access on these higher volume corridors. Overnight, the road closures will be left in place unmanned. This traffic management arrangement for manned/unmanned closures has historically been applied for the event without incident.

As vehicles can continue to navigate around the event utilising Bourke Street and Ken Tubman Drive as the primary thoroughfares, it is expected that the trafficable impact will be low.

The engaged traffic control contractor will be responsible for preparing and implementing a Traffic Guidance Scheme to align with the provided concept.

## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

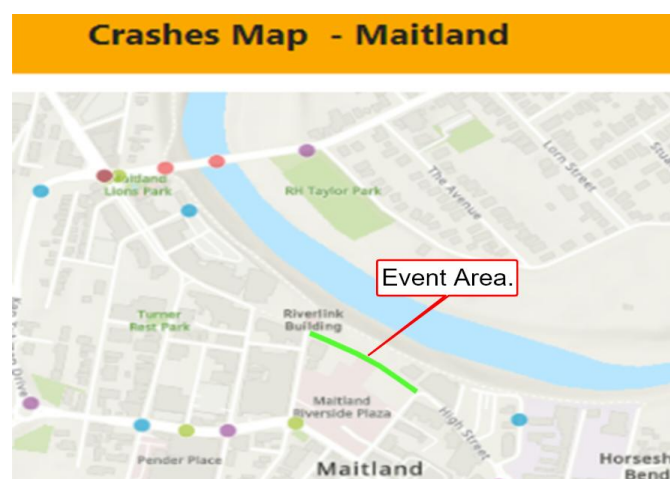
2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)

**ASSESSMENT**

Existing Conditions:

ROAD NAME	HIGH STREET THE LEVEE	BULWER STREET THE LEVEE	DRANSFIELD LANE
Road Classification	Local	Local	Local
Adjacent Land Use	Business	Business	Business/ carpark
Road Width	Road reserve 20m (travel lane 3.5m one-way westbound)	Road reserve 15.4m (carriageway 9.6m; footway 2.9m)	Road reserve 5.0m
Traffic/Pedestrian Volumes	2640 Vehicles over 5 day period	670 Vehicles over 5 day period	270 Vehicles over 7 day period
Speed Limit	10km/h The Levee shared zone	50km/h	50km/h
85th Percentile Speed	20.7km/h	25.9km/h	26.3km/h
Accident History	No Accidents in affected areas	No Accidents in affected areas	No Accidents in affected areas

The TfNSW crash map indicates no accidents have been reported within the event area/ closure points over the five (5) year period from 2018-2022.



## LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)

**WITH PROPOSAL:**

CONSIDERATIONS	COMMENTS INCLUDING IMPACTS
Access	<p>Road:</p> <p>Temporary road closures at:</p> <ul style="list-style-type: none"> <li>· High Street between Bourke Street and Elgin Street, Maitland</li> <li>· Bulwer Street, from High Street to just north of 10 Bulwer Street, Maitland.</li> <li>· Dransfield Lane from Elgin Street to Bulwer Street, Maitland.</li> </ul> <p>Low disruption to local traffic will be experienced within these closures as the surrounding road network is sufficient to carry detoured traffic.</p> <p>Parking:</p> <p>Vehicles accessing the K-mart underground car park can enter/exit via Bulwer Street and Bourke Street, Maitland. On-street parking will be restricted within The Levee during closure times.</p>
Traffic impacts	Elgin Street and Bourke Street traffic flow will be unaffected.
Speed	No change to posted speed limits. Event area closed to vehicle traffic. Walking speed only.
Active Transport (walk/cycle)	<p>Pedestrians: Temporary road closures in the planned event areas.</p> <p>Cyclists: Temporary road closures in the planned event areas.</p>
Public Transport (buses/taxis)	<p>Bus routes/ stops: Unaffected.</p> <p>Taxis: Unaffected</p>
Freight Transport	Service vehicles: Service vehicles may have to enter the road closure area. These movements are to be managed by traffic control.

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LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

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2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)**COMMUNITY CONSULTATION**

The event and associated temporary road closures were advertised in the Maitland Mercury newspaper for the statutory 28-day period commencing 13 June 2025. There were no submissions received at the time of reporting. Any submissions received will be reviewed and reported to Council. In recent years no submissions have been received.

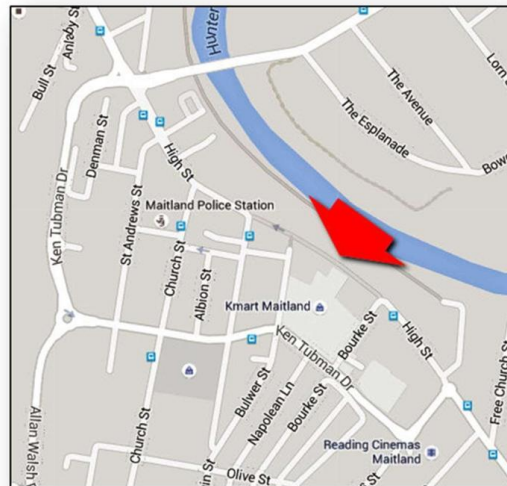
**CONCLUSION**

A concept Traffic Guidance Scheme Plan has been prepared by Council for the purpose of demonstrating closure points based upon previously held events. The event includes road closure points to prevent unnecessary vehicle access. The impact on the local road network is expected to be low. The engaged traffic control contractor is responsible for preparing and implementing a Traffic Guidance Scheme to align with the provided concept.

LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)



Locality diagram



Site photo- Riverlights 2023



7 AUGUST 2025

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2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)

## **Local Traffic Committee Reports**

### **2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT**

#### **Riverlights Traffic Guidance Scheme - Pre Event Closure**

**Meeting Date: 7 August 2025**

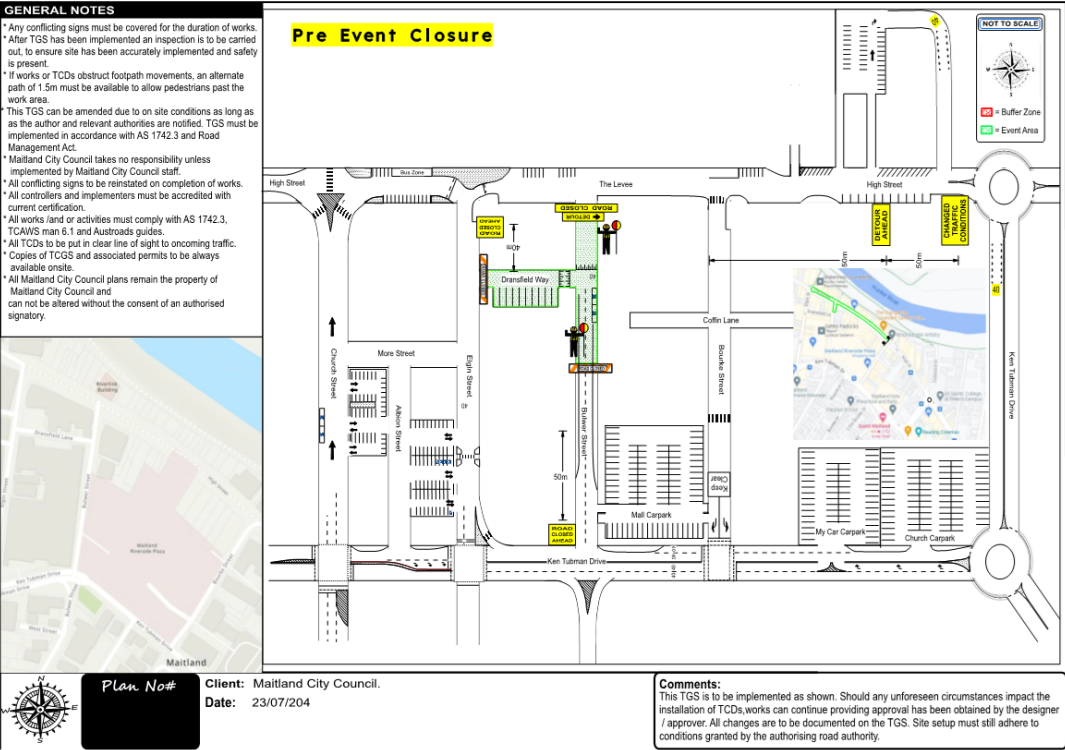
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LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)



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7 AUGUST 2025

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2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)

## **Local Traffic Committee Reports**

### **2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT**

#### **Riverlights Traffic Guidance Scheme - Event Closure**

**Meeting Date: 7 August 2025**

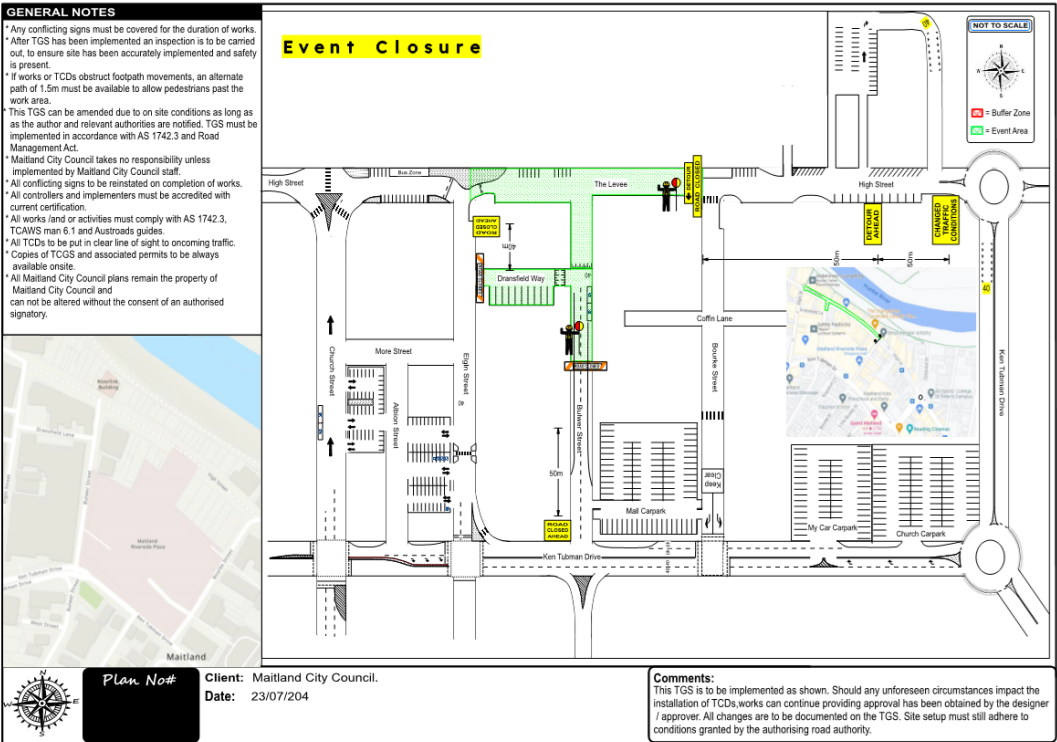
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LOCAL TRAFFIC COMMITTEE MEETING MINUTES (AUGUST 2025) (Cont.)

7 AUGUST 2025

2025 RIVERLIGHTS MULTICULTURAL FESTIVAL - EVENT TRAFFIC MANAGEMENT (Cont.)



## 12.4 MAITLAND RUGBY CLUB PARTNERSHIP WORKS

FILE NO:	35/33/21/4
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Acting Director City Services
AUTHOR:	Acting Manager Community & Recreation
MAITLAND'S FUTURE	1 Liveable Maitland
COUNCIL OBJECTIVE:	1.1.1 Quality open space network

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### EXECUTIVE SUMMARY

*Maitland Rugby Union Club located on Glenarvon Road, Lorn provides the only rugby union facilities within Maitland Local Government Area (LGA). The club has over 700 registered players and is privately operated and managed by volunteers. Council is currently considering partnership arrangements for similar community organisations that provide similar community facilities that Council does not provide through the proposed Community Partnership Program. Based on the seasonal window of the activities required for the partnership with Maitland Rugby Club, a partnership arrangement is necessary to ensure that the works can be completed during the peak growing season.*

### OFFICER'S RECOMMENDATION

#### THAT

1. Council enter into a partnership agreement with Maitland Rugby Club from September 2025 to December 2025 (inclusive)
2. For the partnership period, Council contribute \$7,178 of works in kind.
3. The works in kind will be completed within current budget allocations
4. Council acknowledge that it intends to work with Maitland Rugby Club in the Community Partnership Program

### REPORT

The Maitland Rugby Club located on Glenarvon Road, Lorn provides facilities for rugby union training and match play on privately managed facilities. The provision of these facilities for this sport is the only location to do so within the Maitland LGA. The facility has three (3) full size fields and three (3) junior fields at this location and the club has over 700 registered players in 2025.

Prior to the development of this privately managed facility in the mid 1990's, rugby union in Maitland operated from Lorn Park Oval (a Council facility), which the club outgrew when their registered player numbers were approximately 30-40% of what they are today. Council would have limited (if any) capacity to support a club of this size on Council facilities based on current sports oval supply numbers.

**MAITLAND RUGBY CLUB PARTNERSHIP WORKS (Cont.)**

Maitland Rugby Club approached Council earlier this year in relation to assistance in the technical aspects of sports turf management at their facility. At the Council briefing on 12<sup>th</sup> August 2025 the “Service Delivery Partnership and Collaboration with Community Groups” item was presented, which related to Council forming partnerships to support organisations in the provision of a service to the Community. The Rugby club has been nominated as one of the organisations that Council is looking to engage with for a partnership arrangement to assist them deliver this service.

A report will be presented to Council at a meeting later this year to gain formal agreement from Council to then negotiate partnership agreements with various entities. Given the timeframe that is estimated to enter into these longer-term agreements with clubs, particularly the Maitland Rugby Club, the window of opportunity for ground renovation activities in the off season will be missed. Hence it is proposed that Council enter into a short-term agreement from September 2025 to December 2025 (inclusive), so that ground renovation and preparation works can be undertaken in the Club’s off season to ensure that the facility is ready for 2026 season. In doing this Council would be able to offer services in parallel with renovation works Council are undertaking at our own facilities, hence achieving greater economies of scale.

An annual schedule of works has been prepared in preparation for the partnership. The initial short-term agreement focuses on the September to December period (inclusive only). Works required during this time would involve approx. \$7,178 of in kind works that would be completed in parallel with similar works Council is undertaking on our own facilities. Additional costs noted are \$12,000 of consumable materials with this funding to be provided by Maitland Rugby Club. The rugby club is also considering the top-dressing option (identified as an option in the annual schedule), programmed to be undertaken in December, but this will be subject to their Annual General Meeting later this year.

The key reason this item requires Council resolution and cannot be approved under the General Managers delegated authority within Section 377 of the Local Government act Section (n) is ‘General power of the council to delegate’ cannot be satisfied as the works are to occur on private land.

**CONSULTATION**

Consultation with the Maitland Rugby Club began in May this year with an initial site meeting between Maitland Rugby Club (President Pat Howard and other representatives), Councils Director City Services, Manager Works, Manager Community & Recreation & Coordinator Major Venues & Facilities.

Subsequent meetings with the club and key Council technical staff to develop a suitable annual program have occurred during the year. A briefing of Councilors was held on 12<sup>th</sup> August 2025 on this matter.

## MAITLAND RUGBY CLUB PARTNERSHIP WORKS (Cont.)

**FINANCIAL IMPLICATIONS**

MAITLAND RUGBY CLUB PRE-PARTNERSHIP AGREEMENT		
Source	Amount (excl. Gst)	Comments
INCOME		
Income source A	\$12,000	Cost of consumables for ground renovations, funding provided by Maitland Rugby Club.
<b>CURRENT INCOME BUDGET</b>	\$0	
<b>REVISED INCOME BUDGET</b>	\$12,000	
<b>EXPENDITURE</b>	\$0	
Expend item 1	\$7,178	Implementation and application of works
Expend item 2	\$12,000	Cost of consumables for ground renovations
<b>TOTAL COST</b>	\$19,178	
<b>RESULT</b>	-\$7,178	To be covered by existing Council grounds maintenance OPEX budget

**POLICY IMPLICATIONS**

The evaluation process and recommendations relate to and are consistent with the following relevant council policies:

- Nil

**LEGISLATIVE IMPLICATIONS**

This report relates to and is consistent with the following legislation:

- Work Health and Safety Act 2011
- Local Government Act 1993

## MAITLAND RUGBY CLUB PARTNERSHIP WORKS (Cont.)

**RISK IMPLICATIONS**

Risk	Risk rating	Proposed treatment	Proposed risk rating	Resourcing- within or additional (if additional explain)
<ul style="list-style-type: none"> <li>There is a financial risk of Maitland Rugby Club not being able to support Rugby Union facilities in the Maitland Local Government Area (LGA), that may lead to Council needing to maintain facilities for the provision of this sport</li> </ul>	High	Adopt the recommendation to support Maitland Rugby Club with this provision	Low	Within Existing resources.
<ul style="list-style-type: none"> <li>There is a reputational risk that Council does not physically have enough facilities to cater for rugby union in the Maitland LGA if the Rugby Club does not provide these facilities, that may lead to no provision of facilities in the LGA for this sport</li> </ul>	High	Adopt the recommendation to support Maitland Rugby Club with this provision	Low	Within Existing resources.

**CONCLUSION**

Council officers propose to enter into a short-term agreement with Maitland Rugby Club for the provision of ground renovation activities from September 2025 to December 2025 (inclusive), prior to a formal longer term partnership agreement being reached later this year. The short-term agreement would involve \$7,178 of works in-kind from Maitland City Council (funded within existing budgets) and a \$12,000 contribution from Maitland Rugby Club to cover the cost of consumables.

Should the Maitland Rugby Club wish to have Council complete topdressing works in December as part of this program, this will be subject to a further memo or form part of the future partnership agreement.



**13 Customer and Digital Services**

Nil

**14 People and Performance**

Nil

## 15 Finance

### 15.1 Statement of Investments as at 31 August 2025

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 31 August 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

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#### EXECUTIVE SUMMARY

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

*As at the end of August 2025, Council had investments totaling \$237,829,733 under management.*

*Council's investment portfolio recorded a marked-to-market return of 5.17% per annum versus the bank bill index benchmark return of 3.84% per annum. The actual investment return for the month of August was \$984,503, a favourable variance of \$129,994 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.

#### REPORT

For the month of August 2025, Council has total cash on call and investments of \$237,829,733 comprising:

- On call accounts \$6,154,733
  - Investments \$231,671,000
-

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

This is compared to the month of July 2025 where Council had \$216,622,930 under management. The increase in Council's investment holdings is due to the increased availability of funds around the first rates quarterly installment due date.

Whilst Council has in excess of \$200 million under management, 62% of the portfolio is externally restricted funds, pertaining to developer contributions and domestic waste management reserves.

In August, Council's investment portfolio recorded a marked-to-market return of 5.17% per annum versus the bank bill index benchmark return of 3.84% per annum. Over the past 12 months, the investment portfolio has returned a marked-to-market return of 5.16%, versus the bank bill index benchmark's 4.25%.

Without marked-to-market influences, Council's investment portfolio yielded 4.68% per annum for the month. This is based on the actual interest income being earned on existing investments and excludes the underlying changes to the market value of the bonds in the portfolio. This reflects the downward trend of market interest rates in expectation of further RBA rate cuts in the coming months.

During August, Council had maturities of \$7.5 million between three 12 month term deposits which were yielding an average of 5.01% per annum. A \$1.8 million Westpac Bond paying 3.90% and a \$2 million Commonwealth Bank of Australia Bond paying 4.20% also matured during the month.

Council invested \$30 million among 13 new deposits with maturities ranging between 5 and 14 months at an average rate of 4.12% per annum.

Cash flow requirements are considered before any new investments are established therefore maturing investments are not always reinvested as they may be required for expenditure commitments. Also, where there is surplus cash after expenditure commitments Council will, on advice of our investment advisors, invest these funds until required.

Council has a well-diversified portfolio invested among a range of term deposits, fixed rate bonds and floating rate notes from highly rated Australian authorized deposit-taking institutions.

Global issues – Commentary provided by Prudential Investment Services:

- In the United States, latest economic data was overall positive in August. United States consumer conference dipped a little but is still running close to historical averages despite all the political chaos of this year.
- The June quarter United States Gross Domestic Product was revised up to 3.3% (from 3.0% previously). While this reverses the weakness in March quarter (Gross Domestic Product fell by 0.5%), imports increased providing another sign that the United States economy is still holding up. Third quarter Gross Domestic Product estimates are running at over 2% annualised.
- Despite the positive signs about the United States economy, investors are still pricing in an 84% chance of a rate cut in September and another 4 cuts after that, with rates expected to be at 3% by late 2026.

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

- The Reserve Bank of New Zealand cut its cash rate by 25 basis points to just 3%, the lowest level in three years. New Zealand continued to see multiple headwinds that support further rate cuts, including slow population growth, an unemployment rate that equals the peak during the pandemic, declining house prices, and a stalling economic recovery.
- With no pressure to change rates now, the European Central Bank postponed any rate decision to September. The European Central Bank has already cut by 200 basis points, with interest rates there at 2%.
- Global shares had another solid month in August despite global tensions and United States tariffs dominating the news. Good corporate results coming out of the United States and expectations that the Federal Reserve will start cutting rates soon, helped United States shares gain 2%. Housing stimulus measures in China helped its share market to surge 11% for the month. Australian shares had a strong month (+3.2%), led by the Mining/Materials sector, pushing the 12 month return close to +15%.

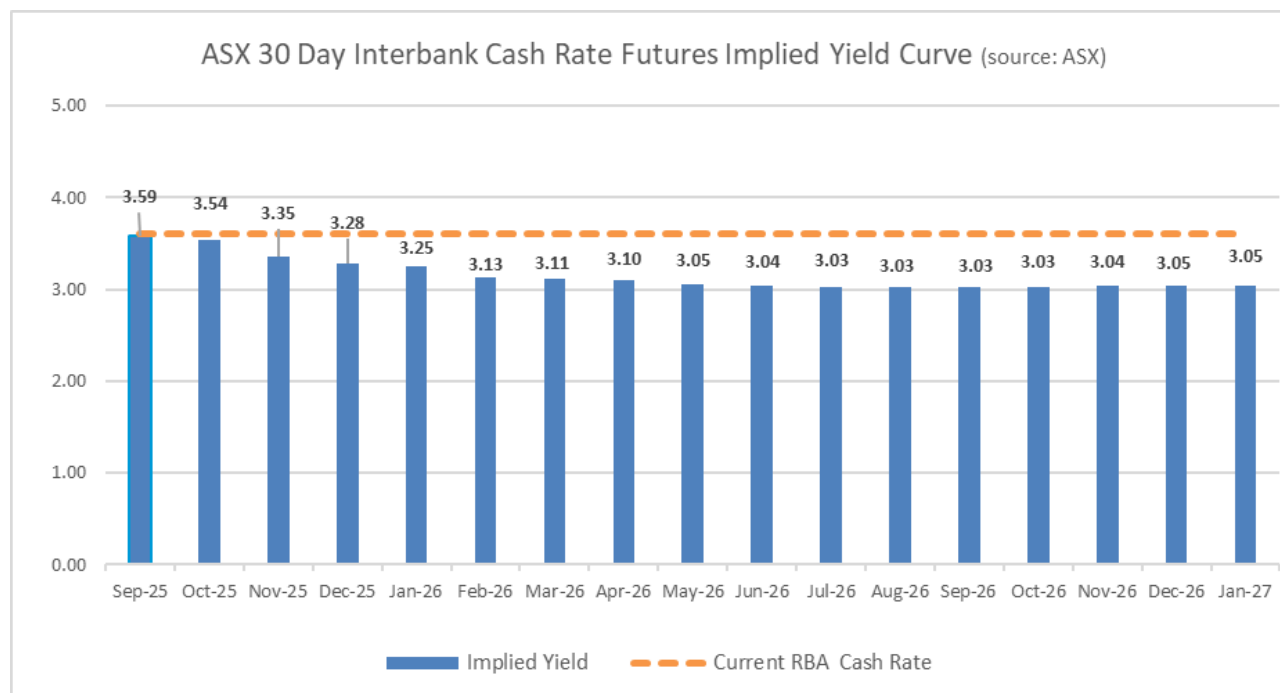
## Domestic issues – Commentary provided by Prudential Investment Services:

- The July monthly consumer price indicator was stronger than expected, up by 2.8% over the year (expectations were for a 2.3% rise). The upside surprise came from a stronger than expected lift in electricity prices. The monthly Consumer Price Index release is regarded as more volatile than the more comprehensive quarterly release.
- The rise in inflation was not wholly unexpected. As the RBA noted at its August meeting: *“headline inflation is expected to increase temporarily over the second half of 2025 to around 3 per cent, before returning close to the midpoint of the target range over the latter part of the forecast period. This volatility reflects the legislated unwinding of electricity rebates, which would boost headline inflation over 2025 and 2026.”*
- Latest consumer sentiment surveys showed more Australians are feeling optimistic about their family finances, economic outlook, and purchasing intentions. Households are also turning bullish on property prices, with house price expectations survey hovering around record highs and the “time to buy a dwelling” index reaching a 4-year record.

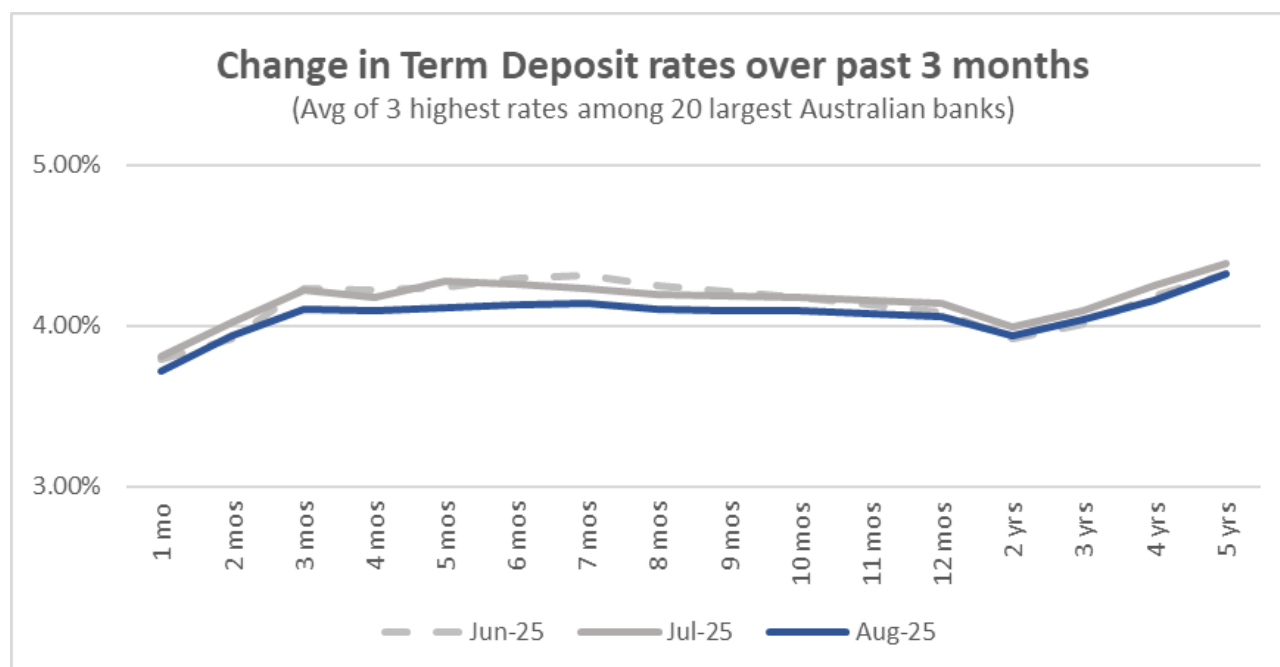
## Interest rates

- As was widely expected, the RBA cut the official cash rate to 3.60% at its August meeting. The central bank noted that the information received since the previous meeting had provided further evidence that inflation was heading sustainably towards the midpoint of the 2-3% target range.
- The market is pricing in another 25 basis point cut by the end November and a further 25 basis point cut in the first quarter of 2026, taking the cash rate to 3.10%:

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)



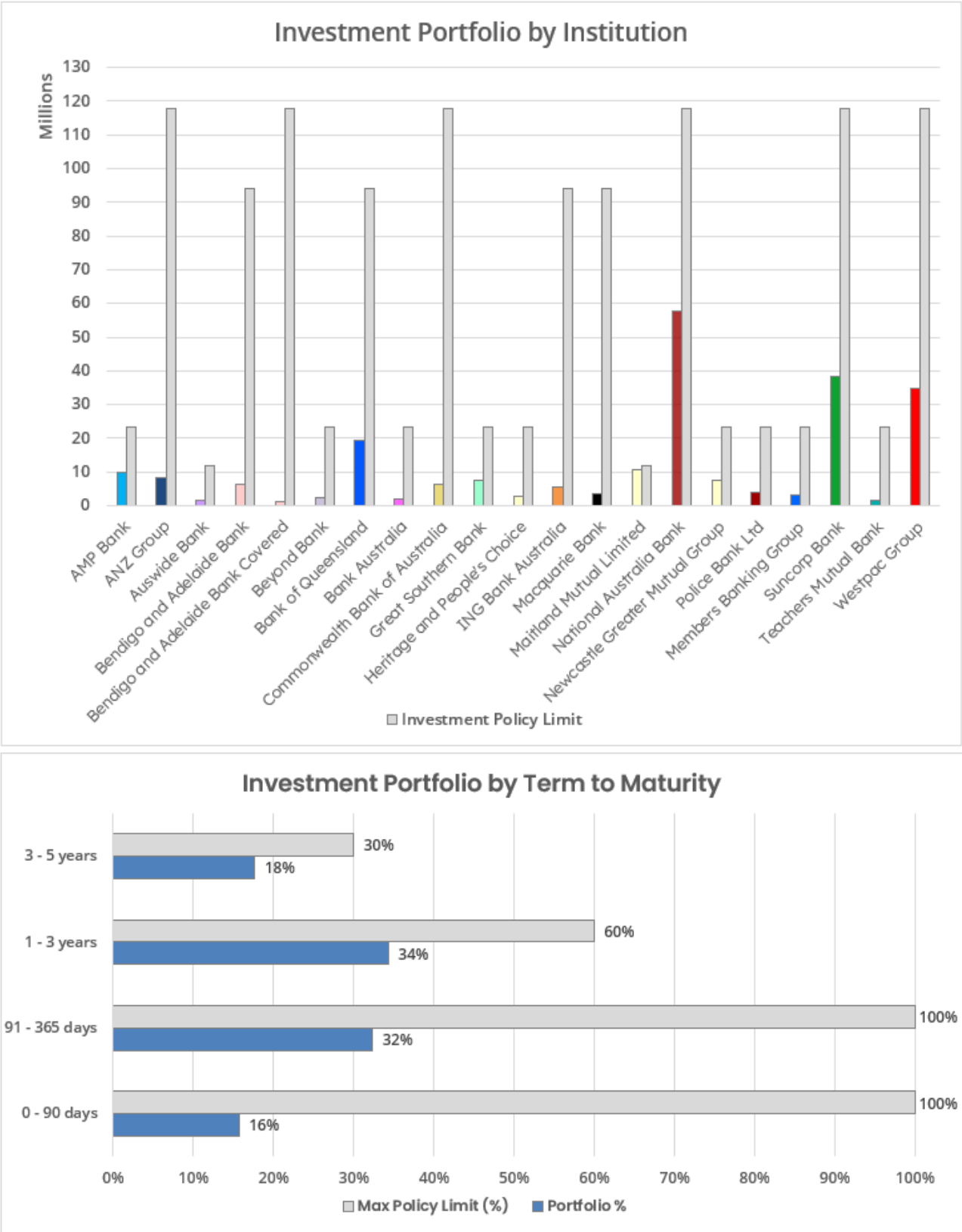
- Term deposit rates across the 1 – 12 month range declined by 10 basis points on average from last month. The 3 - 7 month area is offering the best rates in the 4.10% to 4.15% area. Long dated rates fell slightly as well, down an average of 7 basis points and now ranging from 3.93% to 4.32%:



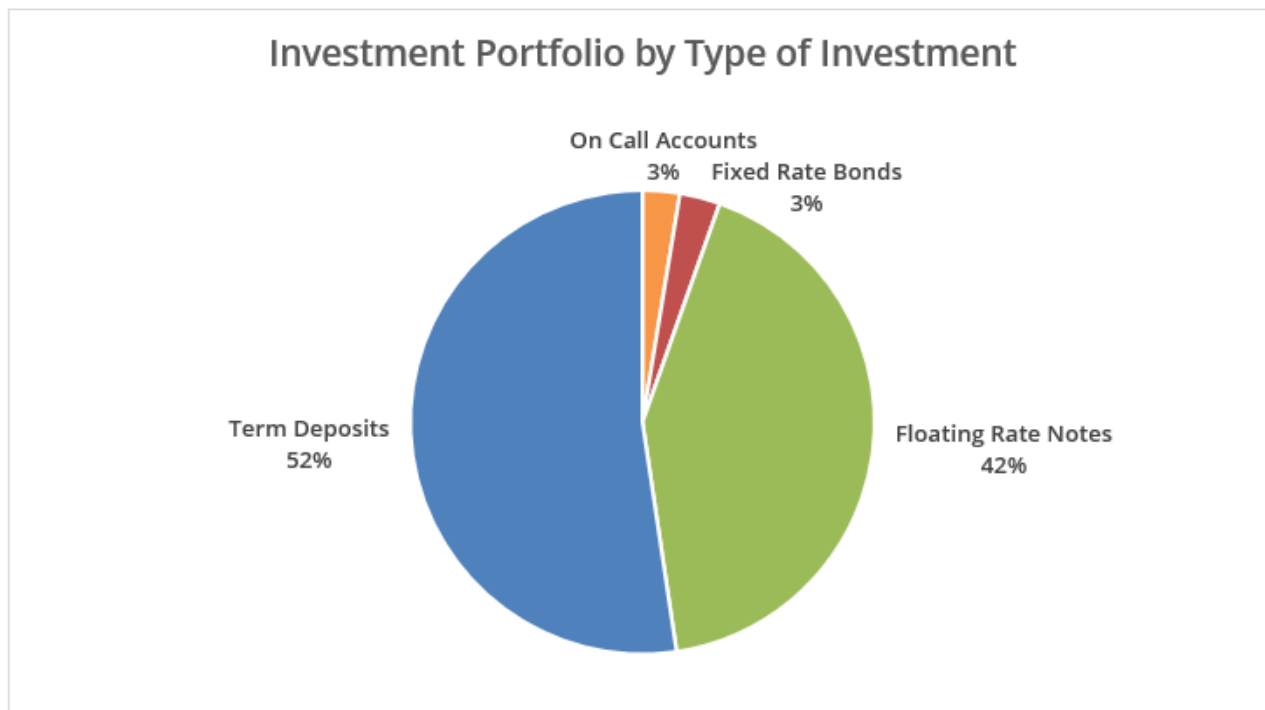
All market commentary is provided by Prudential Investment Services who advise on the management of Council's investment portfolio.

STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

PORTFOLIO ANALYSIS



## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)



## STATEMENT OF COMPLIANCE

Portfolio Performance vs 90 day Bank Bill Index	✓	Council's investment performance did exceed the benchmark for the rolling 12 month period
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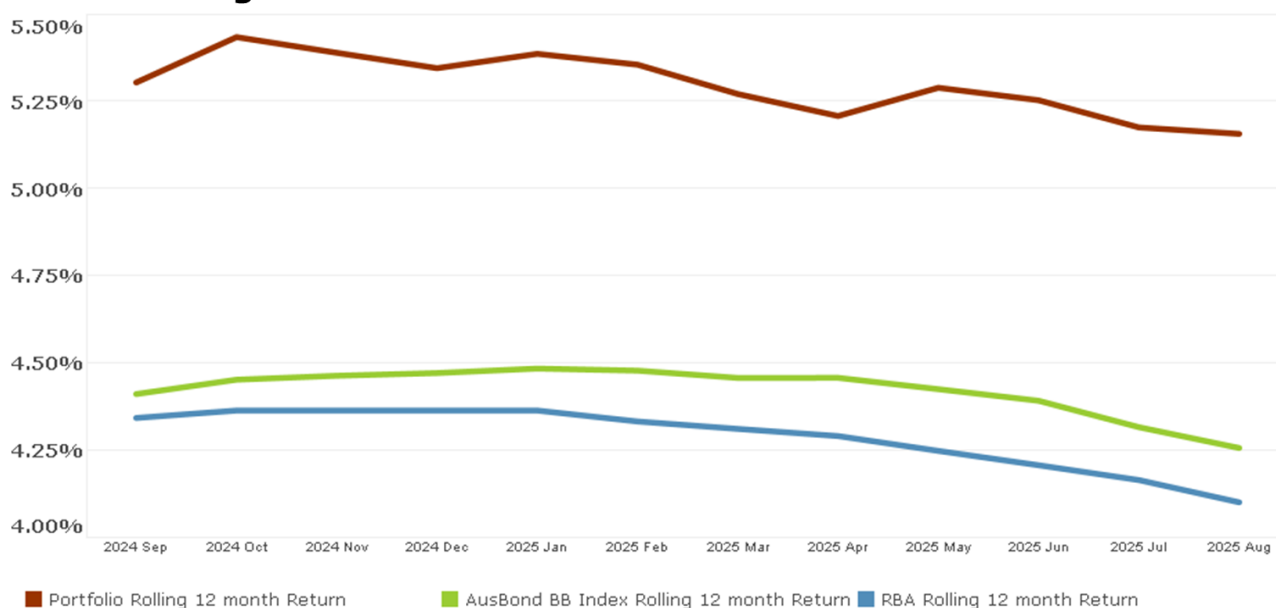
## Investment Policy Requirement

Legislative requirements	✓	Fully compliant
Portfolio credit rating limit	✓	Fully compliant
Institutional exposure limits	✓	Fully compliant
Term to maturity limits	✓	Fully compliant

## Investment Performance v Benchmark

Term	Investment Portfolio Return	Benchmark: Bloomberg AusBond 90 day Bank Bill Index	RBA cash rate
1 month	5.17%	3.84%	3.60%
3 months	4.92%	3.79%	3.77%
6 months	4.97%	4.00%	3.89%
FYTD	5.08%	3.72%	3.72%
12 months	5.16%	4.25%	4.10%

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

**Rolling 12 month: Investment Performance vs Benchmark****CONCLUSION**

## Certification of the Responsible Accounting Officer

The Responsible Accounting Officer certifies that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulations 2021 and Council's Investment Policy.

**FINANCIAL IMPLICATIONS**

The actual investment return for the month of August was \$984,503. This amounts to a favourable variance of \$129,994 when compared to the monthly budget forecasts of \$854,509. It should be noted that \$104,823 of this variance has been reallocated back to the externally restricted funds.

The year-to-date budget forecast for investment returns is \$1,709,018. The actual investment returns for the year-to-date are \$1,997,133, amounting to a favourable variance of \$288,115 which can be attributed to the current high interest rate environment when compared to budget and additional funds available for investment purposes.

**POLICY IMPLICATIONS**

Council's investments are made in accordance with Council's Investment Policy.

**STATUTORY IMPLICATIONS**

The above amounts have been invested and reported in accordance with:

- Section 625 of the Local Government Act 1993
- Clause 212 of the Local Government (general) Regulation 2021



## **Finance**

# **Statement of Investments as at 31 August 2025**

## **Council's Holdings as at 31 August 2025**

**Meeting Date: 16 September 2025**

**Attachment No: 1**

**Number of Pages: 2**

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

**COUNCIL'S HOLDING AS AT 31 AUGUST 2025**

<b>Bonds</b>							
	<b>Face Value</b>	<b>Coupon</b>	<b>Borrower</b>	<b>Credit Rating</b>	<b>Maturity</b>	<b>Term of Investment</b>	<b>Current Value</b>
11-Nov-25	2,300,000.00	4.9000	WBC Snr Bond (Nov25) 4.90%	AA-	11-Nov-25	72	2,338,312.08
17-Feb-26	1,500,000.00	4.7500	CBA Snr Bond (Aug26) 4.75%	AA-	17-Aug-26	351	1,516,003.26
15-Sep-25	1,400,000.00	4.9460	MAC Snr Bond (Sep26) 4.946%	A+	14-Sep-26	379	1,447,448.06
19-Sep-25	1,500,000.00	5.0000	WBC Snr Bond (Sep28) 5.00%	AA-	19-Sep-28	1,115	1,576,356.52
<b>Totals</b>	<b>6,700,000.00</b>	<b>4.8984</b>					<b>6,878,119.92</b>
<b>Cash</b>							
	<b>Face Value</b>	<b>Current Yield</b>	<b>Borrower</b>	<b>Credit Rating</b>			<b>Current Value</b>
31-Aug-25	2,154,732.73	3.7300	Macquarie Bank	A+			2,154,732.73
31-Aug-25	4,000,000.00	3.6500	National Australia Bank	AA-			4,000,000.00
<b>Totals</b>	<b>6,154,732.73</b>	<b>3.6780</b>					<b>6,154,732.73</b>
<b>Floating Rate Note</b>							
<b>Reset/ Coupon</b>	<b>Face Value</b>	<b>Current Coupon</b>	<b>Borrower</b>	<b>Credit Rating</b>	<b>Maturity</b>	<b>Term of Investment</b>	<b>Current Value</b>
24-Nov-25	1,500,000.00	5.0547	RACQ Snr FRN (Feb26) BBSW+1.50%	BBB+	24-Feb-26	177	1,505,324.09
24-Nov-25	1,700,000.00	4.0047	SUN Snr FRN (Feb26) BBSW+0.45%	AA-	24-Feb-26	177	1,701,781.64
18-Nov-25	2,000,000.00	4.6400	SUN Snr FRN (May26) BBSW+1.05%	AA-	18-May-26	260	2,012,659.45
24-Nov-25	3,900,000.00	3.9647	NAB Snr FRN (Aug26) BBSW+0.41%	AA-	24-Aug-26	358	3,904,252.38
15-Sep-25	2,300,000.00	4.1938	SUN Snr FRN (Sep26) BBSW+0.48%	AA-	15-Sep-26	380	2,321,130.55
23-Oct-25	1,200,000.00	5.2900	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	23-Oct-26	418	1,219,067.11
23-Oct-25	3,250,000.00	5.2900	GSB Snr FRN (Oct26) BBSW+1.60%	BBB+	23-Oct-26	418	3,301,640.10
30-Oct-25	1,650,000.00	5.2018	BOZ Snr FRN (Oct26) BBSW+1.50%	BBB+	30-Oct-26	425	1,669,714.20
17-Nov-25	2,000,000.00	5.1400	POL Snr FRN (Nov26) BBSW+1.55%	BBB+	17-Nov-26	443	2,003,943.01
14-Oct-25	2,000,000.00	4.4168	CBA Snr FRN (Jan27) BBSW+0.70%	AA-	14-Jan-27	501	2,019,018.81
27-Oct-25	2,250,000.00	4.4997	SUN Snr FRN (Jan27) BBSW+0.78%	AA-	25-Jan-27	512	2,268,595.39
10-Nov-25	1,220,000.00	5.2675	HPC Snr FRN (Feb27) BBSW+1.60%	BBB+	8-Feb-27	526	1,238,121.35
10-Nov-25	1,400,000.00	5.2675	HPC Snr FRN (Feb27) BBSW+1.60%	BBB+	8-Feb-27	526	1,420,794.99
10-Nov-25	2,250,000.00	5.3077	GSB Snr FRN (Feb27) BBSW+1.65%	BBB+	9-Feb-27	527	2,285,594.43
25-Nov-25	2,400,000.00	4.2747	NAB Snr FRN (Feb27) BBSW+0.72%	AA-	25-Feb-27	543	2,410,751.53
5-Sep-25	1,500,000.00	5.3048	RACQ Snr FRN (Mar27) BBSW+1.60%	BBB+	5-Mar-27	551	1,531,379.48
14-Nov-25	1,300,000.00	4.6120	BEN Snr FRN (May27) BBSW+1.00%	A-	14-May-27	621	1,311,094.73
22-Sep-25	1,800,000.00	4.9639	TMB Snr FRN (Jun27) BBSW+1.30%	BBB+	21-Jun-27	659	1,833,659.65
20-Nov-25	2,800,000.00	4.4425	ING Snr FRN (Aug27) BBSW+0.87%	A	20-Aug-27	719	2,817,193.53
15-Sep-25	1,500,000.00	5.0475	AusW Snr FRN (Sep27) BBSW+1.33%	Baa2	13-Sep-27	743	1,516,594.52
3-Nov-25	1,000,000.00	4.7199	GSB Snr FRN (Nov27) BBSW+1.03%	BBB+	1-Nov-27	792	1,006,641.20
10-Nov-25	2,000,000.00	4.8175	POL Snr FRN (Nov27) BBSW+1.15%	BBB+	8-Nov-27	799	2,021,175.34
25-Nov-25	2,500,000.00	4.7547	NAB Snr FRN (Nov27) BBSW+1.20%	AA-	25-Nov-27	816	2,536,612.15
15-Sep-25	1,100,000.00	4.9638	SUN Snr FRN (Dec27) BBSW+1.25%	AA-	14-Dec-27	835	1,126,104.74
13-Oct-25	3,000,000.00	4.8668	CBA Snr FRN (Jan28) BBSW+1.15%	AA-	13-Jan-28	865	3,058,960.54
21-Nov-25	500,000.00	5.2716	BOZ Snr FRN (Feb28) BBSW+1.70%	BBB+	21-Feb-28	904	508,328.85
22-Sep-25	2,500,000.00	4.8139	BEY Snr FRN (Mar28) BBSW+1.15%	BBB+	21-Mar-28	933	2,524,955.34
12-Nov-25	2,500,000.00	4.6342	NAB Snr FRN (May28) BBSW+1.00%	AA-	12-May-28	985	2,531,298.22
14-Nov-25	2,500,000.00	5.1120	MMB Snr FRN (May28) BBSW+1.50%	BBB	15-May-28	988	2,506,302.47
16-Sep-25	1,200,000.00	4.8638	BEN Cov FRN (Jun28) BBSW+1.15%	AAA	16-Jun-28	1,020	1,227,432.74
11-Sep-25	1,400,000.00	4.6649	ANZ Snr FRN (Sep28) BBSW+0.93%	AA-	11-Sep-28	1,107	1,426,180.07
17-Nov-25	2,000,000.00	4.6200	NAB Snr FRN (Nov28) BBSW+1.03%	AA-	16-Nov-28	1,173	2,025,664.11
5-Nov-25	2,000,000.00	4.6223	ANZ Snr FRN (Feb29) BBSW+0.96%	AA-	5-Feb-29	1,254	2,024,858.47
14-Nov-25	600,000.00	5.4620	NPBS Snr FRN (Feb29) BBSW+1.85%	BBB+	14-Feb-29	1,263	616,490.15
14-Nov-25	3,000,000.00	5.4620	NPBS Snr FRN (Feb29) BBSW+1.85%	BBB+	14-Feb-29	1,263	3,082,450.77
19-Sep-25	1,500,000.00	4.6736	SUN Snr FRN (Mar29) BBSW+0.98%	AA-	13-Mar-29	1,290	1,524,577.87
22-Sep-25	2,800,000.00	4.5639	NAB Snr FRN (Mar29) BBSW+0.90%	AA-	22-Mar-29	1,299	2,843,883.52
30-Oct-25	2,500,000.00	4.9818	BoQ Snr FRN (Apr29) BBSW+1.28%	A-	30-Apr-29	1,338	2,542,710.23
30-Oct-25	4,000,000.00	4.9818	BoQ Snr FRN (Apr29) BBSW+1.28%	A-	30-Apr-29	1,338	4,068,336.37
18-Sep-25	5,000,000.00	4.5594	ANZ Snr FRN (Jun29) BBSW+0.86%	AA-	18-Jun-29	1,387	5,074,933.15
14-Nov-25	3,100,000.00	4.4320	NAB Snr FRN (Nov29) BBSW+0.82%	AA-	14-Nov-29	1,536	3,118,803.50
28-Nov-25	3,000,000.00	4.3922	BEN Cov FRN (Nov29) BBSW+0.83%	A-	28-Nov-29	1,550	3,007,144.01
21-Oct-25	2,000,000.00	4.9317	NPBS Snr FRN (Jan30) BBSW+1.25%	BBB+	21-Jan-30	1,604	2,018,649.67
18-Sep-25	3,200,000.00	4.5294	NAB Snr FRN (Mar30) BBSW+0.83%	AA-	18-Mar-30	1,660	3,243,049.56
21-Nov-25	850,000.00	4.5016	SUN Snr FRN (May30) BBSW+0.93%	AA-	21-May-30	1,724	854,740.15
15-Sep-25	2,800,000.00	4.6675	ING Snr FRN (Jun30) BBSW+0.95%	A	13-Jun-30	1,747	2,840,768.38
<b>Totals</b>	<b>100,470,000.00</b>	<b>4.7566</b>					<b>101,672,012.18</b>

## STATEMENT OF INVESTMENTS AS AT 31 AUGUST 2025 (Cont.)

Term Deposits						
	Face Value	Current Yield	Borrower	Credit Rating	Maturity	Term of Investment
	4,000,000.00	5.0000	National Australia Bank	AA-	3-Sep-25	3
	4,000,000.00	4.9500	National Australia Bank	AA-	9-Sep-25	9
	4,000,000.00	5.0700	National Australia Bank	AA-	16-Sep-25	16
	2,000,000.00	5.0700	Suncorp Bank	AA-	23-Sep-25	23
	2,000,000.00	5.1700	Suncorp Bank	AA-	30-Sep-25	30
	2,000,000.00	4.4000	AMP Bank	BBB+	7-Oct-25	37
	2,000,000.00	5.1000	Bendigo and Adelaide Bank	A-	14-Oct-25	44
	2,000,000.00	4.3500	Bank of Queensland	A-	21-Oct-25	51
	2,000,000.00	4.7600	Suncorp Bank	AA-	21-Oct-25	51
	2,000,000.00	5.0900	Suncorp Bank	AA-	28-Oct-25	58
	2,000,000.00	4.8000	Suncorp Bank	AA-	4-Nov-25	65
	3,000,000.00	5.1900	Westpac Group	AA-	18-Nov-25	79
	5,000.00	5.1000	National Australia Bank	AA-	25-Nov-25	86
	2,500,000.00	5.0700	Suncorp Bank	AA-	25-Nov-25	86
	2,000,000.00	4.8000	Suncorp Bank	AA-	2-Dec-25	93
	2,000,000.00	5.0000	AMP Bank	BBB+	10-Dec-25	101
	2,000,000.00	5.1000	AMP Bank	BBB+	17-Dec-25	108
	2,000,000.00	4.4000	Bank of Queensland	A-	23-Dec-25	114
	2,000,000.00	4.2800	Suncorp Bank	AA-	30-Dec-25	121
	3,000,000.00	4.3000	Bank of Queensland	A-	7-Jan-26	129
	4,000,000.00	4.7900	Suncorp Bank	AA-	13-Jan-26	135
	2,000,000.00	4.3500	Bank of Queensland	A-	20-Jan-26	142
	2,000,000.00	4.3000	AMP Bank	BBB+	27-Jan-26	149
	2,000,000.00	4.7000	Westpac Group	AA-	2-Feb-26	155
	3,000,000.00	4.6500	National Australia Bank	AA-	10-Feb-26	163
	3,000,000.00	4.6300	Westpac Group	AA-	24-Feb-26	177
	3,000,000.00	4.6300	Westpac Group	AA-	3-Mar-26	184
	3,000,000.00	4.2100	National Australia Bank	AA-	10-Mar-26	191
	3,000,000.00	4.3300	Suncorp Bank	AA-	24-Mar-26	205
	2,000,000.00	4.1700	Bank of Queensland	A-	31-Mar-26	212
	2,000,000.00	4.6000	Westpac Group	AA-	7-Apr-26	219
	2,000,000.00	4.1800	National Australia Bank	AA-	14-Apr-26	226
	3,000,000.00	4.2700	Suncorp Bank	AA-	21-Apr-26	233
	2,000,000.00	4.2200	National Australia Bank	AA-	28-Apr-26	240
	2,000,000.00	4.1500	Bank of Queensland	A-	5-May-26	247
	3,000,000.00	4.0500	National Australia Bank	AA-	26-May-26	268
	2,000,000.00	4.0900	Westpac Group	AA-	2-Jun-26	275
	2,000,000.00	4.3000	Westpac Group	AA-	23-Jun-26	296
	2,000,000.00	4.1000	National Australia Bank	AA-	30-Jun-26	303
	2,000,000.00	4.0900	National Australia Bank	AA-	7-Jul-26	310
	3,000,000.00	4.1700	National Australia Bank	AA-	14-Jul-26	317
	2,000,000.00	4.1000	National Australia Bank	AA-	28-Jul-26	331
	2,000,000.00	4.1200	Westpac Group	AA-	8-Sep-26	373
	2,000,000.00	4.0800	Westpac Group	AA-	22-Sep-26	387
	3,000,000.00	4.0900	Westpac Group	AA-	29-Sep-26	394
	4,000,000.00	4.6500	The Mutual	BBB	6-Oct-26	401
	3,000,000.00	4.0700	Westpac Group	AA-	13-Oct-26	408
	2,000,000.00	4.0400	Westpac Group	AA-	24-Nov-26	450
	2,000,000.00	4.0400	Westpac Group	AA-	15-Dec-26	471
	4,000,000.00	4.7500	The Mutual	BBB	16-Feb-27	534
<b>Totals</b>	<b>124,505,000.00</b>	<b>4.5300</b>				
<b>Grand Totals</b>	<b>237,829,732.73</b>					<b>126,569,049.42</b>
						<b>241,273,914.25</b>

## **16 Items For Information**

Nil

## **17 Notices of Motion/Rescission**

### **17.1 Digital Rates and Charges Payment Portal**

#### **Notice of Motion Submitted by Cr Race Barstow**

**FILE NO:** 1  
**ATTACHMENTS:** Nil  
**RESPONSIBLE OFFICER:** General Manager

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Cr Race Barstow has indicated her intention to move the following Notice of Motion at the next Council Meeting being held on 16 September 2025:

#### **THAT**

##### **Council:**

- 1. Recognises the importance of transparency and accessibility in the management of rates for residents.**
- 2. Supports the fast-tracking of a modernised digital self-service portal enabling ratepayers to:**
  - **view balances and history of payments in real time, including items relating to infringement notices or other debts to council;**
  - **access transparent explanations of rate calculations;**
  - **set up and self-manage flexible payment arrangements; and**
  - **access information on hardship supports**
- 3. Requests the General Manager provide a report to Council by the last meeting of this calendar year, outlining options, indicative costs, and an implementation timeline.**
- 4. Sets the expectation that the platform be planned and delivered to ensure roll-out ahead of issuing of rates notices in 2026.**

##### **Further Information**

Council is operating in an environment of rising cost-of-living pressures, where residents increasingly expect transparency and ease of access in managing household bills. Rates are a significant expense for many households, and greater clarity on how they are calculated combined with the ability to self-manage payments, can reduce financial stress and improve engagement with Council. A modern digital portal would also streamline debt management by enabling early intervention, flexible payment options, and better access to hardship support. This initiative not only reflects best practice in customer service but will also assist Council in reducing arrears, improving efficiency and strengthening community trust.

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DIGITAL RATES AND CHARGES PAYMENT PORTAL (Cont.)

**RESPONSE BY EXECUTIVE MANAGER**

Council officers acknowledge the notice of motion and will be able to provide a report within the requested timeframe.

## 17.2 The Levee Central Maitland 10 Year Review

### Notice of Motion Submitted by Cr Mitchell Griffin

**FILE NO:** 103/4/24  
**ATTACHMENTS:** Nil  
**RESPONSIBLE OFFICER:** General Manager

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Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 16 September 2025:

#### THAT

1. Council notes that October 15, 2025, will mark ten years since the completion of The Levee Central Maitland and reopening of the mall to traffic.
2. Given we have now reached the 10th anniversary, Council request a briefing from staff in the next 6 months as well as a report to Council on what has worked, what could be improved, a cost verse benefit analysis and the extent to which the originally desired outcomes have or have not been achieved.

#### *Further Information*

In October 2025 the Levee Central Maitland will mark ten years since its completion and reopening to traffic. Given the time frame, it is prudent to undertake a review of The Levee to assess the success of the work undertaken ten years ago. This includes whether there has been the expected benefit for cost incurred by the rate payer, and review of what has and has not worked.

By undertaking a review it will allow council to plan for the future of The Levee, whilst also identifying areas which are working and need to continue.

#### **RESPONSE BY ACTING DIRECTOR CITY SERVICES**

Over the past six months, Council has undertaken range of engagement focused on The Levee precinct. This engagement included targeted consultation with businesses operating within the precinct, as well as broader outreach to the community.

Key engagement activities included:

- Two face-to-face forums attended by 30 business representatives.
- An online survey completed by 12 businesses.
- A community-wide survey which received 267 responses.

The insights gathered through this engagement have directly informed the development of the **Levee Precinct Action Plan 2025–2026**. This new plan represents a strategic shift from previous *Levee Marketing and Activity Plans*, expanding its scope to include precinct presentation and amenity, an area identified as a priority by both business stakeholders and the community, in addition to outlining the planned activities and marketing to be undertaken in 25/26.

### 17.3 "Youth Forum" in 2026

#### Notice of Motion Submitted by Cr Ben Worth

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

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Cr Ben Worth has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on 16 September 2025:

#### THAT

1. That Maitland City Council undertakes required planning and establishes as working party to develop and host a "Youth Forum" in 2026.
2. The purpose of the "Youth Forum" is to:
  - a. Provide an opportunity for youth to interact and engage with Council and other stakeholder groups
  - b. Provide feedback to support Council in developing the Youth supporting plan of the adopted Social Strategy and
  - c. Provide feedback that Council can use when planning future operational plan actions and capital works program planning
3. Council chooses from amongst themselves, a Councillor to lead the a working party and the proposed Youth Forum
4. In developing the format for the Youth forum, Council should engage with relevant stakeholder groups which includes but is not limited to:
  - relevant state agencies,
  - local youth groups,
  - Non-government agencies,
  - Local High schools and
  - University of Newcastle
5. Subsequent to the hosting of the forum in 2026, a report be provided to Council on next steps

#### RESPONSE BY ACTING DIRECTOR CITY SERVICES

This proposal is consistent with the recently adopted Social Strategy approach and more specifically the proposed Youth supporting plan. The proposed Youth Forum was raised and discussed with Council's Culture and Community Advisory Committee in September 2025.

The proposed actions can be funded out of existing operating budgets.

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## 18 Questions with Notice

### 18.1 Library Attendance and Utilisation

Submitted by Cr Race Barstow

**FILE NO:** 35/4/48  
**ATTACHMENTS:** Nil  
**RESPONSIBLE OFFICER:** General Manager

Cr Race Barstow has asked the following Question With Notice for the Council Meeting being held on Tuesday 16 September 2025:

**Could Council provide a breakdown of total usage of Maitland's libraries over the past 12 months, including both physical visitation and remote/online utilisation (such as digital loans, e-resources, and online programs).**

#### RESPONSE BY ACTING DIRECTOR CITY SERVICES:

##### Total in-person visits

	2024-2025
Visits	194,750*
Loans	379,356
Members	27,741
Programs Held	897
Program Participants	14,239

\* Physical visits have been impacted by branch closures due to maintenance requirements associated with weather events during 2024-2025.

##### Loans Breakdown

	2024-2025
Physical	276,599
E-loans (resources)	102,757
TOTAL	379,356

Demonstrated growth in e-loans from 2023-24 year of 20% which is a continuing trend.

##### Online engagement - Library Websites, Library App, Databases, Social Media, eNewsletter

	2024-2025
Library Websites (Library & Collections Maitland - visits)	175,056
Library App (sessions)	49,542
Library Databases (information searches)	30,391
Facebook (Reach)	309,986
Library Newsletter (Issues)	55
Library Newsletter (Subscribers)	10,295

## LIBRARY ATTENDANCE AND UTILISATION (Cont.)

Maitland libraries online engagement has been relatively static across our websites and eNewsletter subscribers. There has been a 27% increase in Library App usage, as more customers seek a seamless app experience to engage with library content and resources.

**Family history databases**

	<b>2024-2025</b>
Ancestry (Library edition – searches)	24,683
Find My Past (searches)	4284

Our family history database resources, Ancestry and Find My Past, have grown substantially during the period. In 2025-2026, we have provided access to the British Library Newspapers database, as another resource to support family history research.

**Online public access – Internet & Wi-Fi at library sites**

	<b>2024-2025</b>
Public access PC's (computer sessions)	19,478
Public access PC's (hours used)	11,485
Public Wi-Fi (sessions)	13,031
Wi-Fi (hours used)	39,735

## 18.2 Carbon Banks

**Submitted by Cr Mitchell Griffin**

**FILE NO:** 1  
**ATTACHMENTS:** Nil  
**RESPONSIBLE OFFICER:** General Manager

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Cr Mitchell Griffin has asked the following Question With Notice for the Council Meeting being held on 16<sup>th</sup> September 2025:

*In March 2023 Council resolved to investigate council owned land which can be utilised as carbon banking. The purpose of this was to get developers to invest in carbon banking offset within the Maitland LGA instead of investing elsewhere within the state for development undertaken in Maitland.*

*Can council officers advise how many sites have been identified to date, and subsequently how many trees to date have been planted as a direct result of the March 2023 resolution?*

### **RESPONSE BY DIRECTOR CITY PLANNING**

As a result of the Council's March 2023 resolution, which recognises the environmental and community benefits of retaining investment within the Maitland LGA, actions within the Environmental Sustainability Strategy and the current DPOP have been developed to guide work on how the carbon benefits of tree planting and ecosystem restoration on Council and private land (where landholders would like to participate in such initiatives) can be recognised.

Action 2.1.2.3 of the current DPOP is for Council to **"Complete a feasibility analysis for establishment of biodiversity stewardship sites and biodiversity and carbon offsets on Council and private land"**. This project will involve officers engaging with local experts to scope work that will assess options for reliable and cost-effective accounting for the carbon benefits of smaller-scale plantings.

Current methods for creating official Australian Carbon Credit Units (ACCUs) through tree planting are difficult to achieve on smaller areas typically available to Council and private landholders in Maitland. Recent developments in state and federal schemes appear to offer pathways for aggregating smaller plantings and these will be assessed in the program of works.

Approximately 123 advanced trees and 14,000 seedlings have been planted since March 2023. Assessment of the carbon benefits of Council's existing plantings and identification of potential target sites will also form part of the DPOP action scope.

- 19 Urgent Business**
- 20 Committee of the Whole**
- 21 Committee of the Whole Recommendations**
- 22 Closure**