

Ordinary Meeting Minutes

17 February 2026

DRAFT

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PRESENT

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

1 Invocation

Pastor Jodie Gayle from Hope Unlimited Church read the customary prayer at the commencement of the meeting.

2 Acknowledgement of Country

The General Manager read the Acknowledgement of Country.

3 Apologies, Leave of Absence and Remote Attendance

Nil

4 Declarations of Interest

Nil

5 Confirmation of Minutes of Previous Meeting

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held 27 January 2026 be confirmed.

Moved Cr B Whiting, Seconded Cr M Griffin

CARRIED

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

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

6 Business Arising from Minutes

Nil

7 Withdrawal of Items and Acceptance of Late Items of Business

The General Manager read out an additional point in the Officers Recommendation to Item 10.2 Former Maitland Hospital Site Submission.

3. Council recognises the opportunity to expand the public open space network on 5 NSW state government owned land parcels (being lot 3 DP1156239, lots 1, 2 and 3 DP375615, and lot 1380 DP1124488) which are located to the east of the subject site and adjoining Council managed Crown Land known Johnson Reserve and requests the relevant NSW Minister undertake required process to transfer these lots to Maitland City Council.

Councillor Ken Jordan arrived in the chambers at 5:33pm.

8 MAYORAL MINUTE

8.1 Local Heritage Grant Increase

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

MAYORAL MINUTE

COUNCIL RESOLUTION

THAT

In the preparation of the draft delivery program and operational plan (DPOP) 2026-27, Council officers give favourable consideration to an increase in the local heritage grant from \$25,000 per annum to \$50,000 per annum for properties within Maitland LGA.

Moved Mayor P Penfold

CARRIED

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

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

9 Office of the General Manager

9.1 2026 ALGA National General Assembly

FILE NO:	35/4/8
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	General Manager
AUTHOR:	Executive Assistant
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.2.1 Excellence in leadership

EXECUTIVE SUMMARY

This report is presented to Council to determine a voting delegate of Council for the purpose of voting on motions presented at the 2026 Australian Local Government Association National General Assembly conference.

OFFICER'S RECOMMENDATION

THAT

- 1. Council nominate a Councillor as voting delegate for the National General Assembly incorporating the Regional Cooperation and Development Forum hosted by the Australian Local Government Association in Canberra from 23-25 June 2026.**

PROCEEDINGS IN BRIEF

A motion was moved.
(Mayor P Penfold, Cr B Hackney)

THAT

1. Council nominate Cr Sally Halliday as voting delegate for the National General Assembly incorporating the Regional Cooperation and Development Forum hosted by the Australian Local Government Association in Canberra from 23-25 June 2026.

Cr A Atkinson moved an amendment:

THAT

1. Council nominate Cr Sally Halliday as voting delegate for the National General Assembly incorporating the Regional Cooperation and Development Forum hosted by the Australian Local Government Association in Canberra from 23-25 June 2026.
2. Council nominate Cr Race Barstow to act as a proxy voting delegate, in the event that the primary delegate is unable to attend.

(Cr A Atkinson, Cr R Barstow)

The amendment when put to the meeting was declared lost.

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

For:	Cr A Atkinson Cr R Barstow Cr D Ferris Cr B Hackney Cr B Whiting	Against:	Cr K Flannery Cr M Griffin Cr S Halliday Cr K Jordan Mayor P Penfold Cr W Penfold Cr B Worth Cr M Yarrington
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The motion was then put to the meeting and declared carried.

COUNCIL RESOLUTION

THAT

1. **Council nominate Cr Sally Halliday as voting delegate for the National General Assembly incorporating the Regional Cooperation and Development Forum hosted by the Australian Local Government Association in Canberra from 23-25 June 2026.**

Moved Mayor P Penfold, Seconded Cr B Hackney

CARRIED

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

For:

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

Against:

Cr A Atkinson
Cr R Barstow
Cr D Ferris

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10 City Planning

10.1 Regent Street Flying-Fox Camp – Progress Update

FILE NO:	55/2
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Director City Planning Manager Environment & Sustainability Coordinator Natural Environment & Resilience
AUTHOR:	Coordinator Natural Environment & Resilience
MAITLAND'S FUTURE	2 Sustainable Maitland
COUNCIL OBJECTIVE:	2.1.2 Natural spaces

EXECUTIVE SUMMARY

This report provides a progress update on the Regent Street Flying-fox Camp Management Plan and associated actions endorsed by Council in May 2024. Since Council's resolution to enter into a Service Agreement with the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW), the Camp Management Plan has been finalised and endorsed by DCCEEW, and a portion of the allocated funding remains available for planned management actions.

OFFICER'S RECOMMENDATION

THAT

1. That the information contained in this report be noted.

COUNCIL RESOLUTION

THAT

1. That the information contained in this report be noted.

Moved Cr S Halliday, Seconded Cr A Atkinson

CARRIED

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

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

DRAFT

10.2 Former Maitland Hospital Site Submission

FILE NO:	103/182
ATTACHMENTS:	<ol style="list-style-type: none">1. Former Hospital Site Submission – February 20262. Council Resolution – 12 April 20223. Old Maitland Hospital Visitation and Potential Future Uses (Under Separate Cover)4. Former Hospital Site – Planning Permissibility Table
RESPONSIBLE OFFICER:	Director City Planning Manager Strategic Planning Senior Visitor Economy Officer Coordinator City Planning Senior Strategic Planner
AUTHOR:	City Economy Specialist
MAITLAND'S FUTURE	3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.1.2 Strengthened and diversified precincts

EXECUTIVE SUMMARY

NSW Health has engaged Property and Development NSW to explore future uses for the former Maitland Hospital site on High Street and are currently seeking community feedback. This process presents a significant opportunity for Maitland City Council to help shape the vision for this landmark location.

OFFICER'S RECOMMENDATION

THAT

1. The attached submission letter is endorsed as Council's formal response to the NSW Government engagement which closes on Sunday 1 March 2026.
2. Council officers are endorsed to continue discussions with relevant NSW government agencies regarding the future use of the former Maitland Hospital site, consistent with adopted strategies and policies of Council.
3. Council recognises the opportunity to expand the public open space network on 5 NSW state government owned land parcels (being lot 3 DP1156239, lots 1, 2 and 3 DP375615, and lot 1380 DP1124488) which are located to the east of the subject site and adjoining Council managed Crown Land known Johnson Reserve and

requests the relevant NSW Minister undertake required process to transfer these lots to Maitland City Council.

COUNCIL RESOLUTION

THAT

1. The attached submission letter is endorsed as Council's formal response to the NSW Government engagement which closes on Sunday 1 March 2026.
2. Council officers are endorsed to continue discussions with relevant NSW government agencies regarding the future use of the former Maitland Hospital site, consistent with adopted strategies and policies of Council.
3. Council recognises the opportunity to expand the public open space network on 5 NSW state government owned land parcels (being lot 3 DP1156239, lots 1, 2 and 3 DP375615, and lot 1380 DP1124488) which are located to the east of the subject site and adjoining Council managed Crown Land known Johnson Reserve and requests the relevant NSW Minister undertake required process to transfer these lots to Maitland City Council.

Moved Cr M Griffin, Seconded Cr W Penfold

CARRIED

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

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

11 City Services

11.1 Roadside Environment Policy Review

FILE NO:	35/1
ATTACHMENTS:	1. Roadside Environment Policy 2022 2. DRAFT Roadside Environment Policy 2026
RESPONSIBLE OFFICER:	Director City Services
AUTHOR:	Manager Works Project Manager – Delivery
MAITLAND +10	Outcome 1 Liveable Maitland
COUNCIL OBJECTIVE:	1.2.3 Safe and efficient road networks

EXECUTIVE SUMMARY

Council's 'Roadside Environment' Policy, last adopted 22 February 2022, has been reviewed in consultation with key Council staff, related Council policies and procedures, and best practice approaches.

The reviewed 'Roadside Environment' Policy will ensure that Council effectively and efficiently complies with, administers and enforces the Acts relating to the roadside environment. The reviewed 'Roadside Environment' Policy will also ensure that there are clear guidelines for the management and control of roadside environments on public land.

OFFICER'S RECOMMENDATION

THAT

- 1. Council rescind the Roadside Environment Policy (2022)**
- 2. Council adopt the Roadside Environment Policy (2026)**

COUNCIL RESOLUTION

THAT

- 1. Council rescind the Roadside Environment Policy (2022)**
- 2. Council adopt the Roadside Environment Policy (2026)**

Moved Cr D Ferris, Seconded Cr S Halliday

CARRIED

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

For:

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

Against:

12 Customer and Digital Services

Nil

13 People and Performance

Nil

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14 Finance

14.1 Quarter Two Report – Operational Plan and Budget 2025–26 Progress Report End 31 December 2025

FILE NO:	35/33/18/12
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Community Progress Report October–December 2025 2. Outstanding MM and NoM – December 2025 3. Quarterly Budget Review Statement December 2025
RESPONSIBLE OFFICER:	Executive Manager Finance Manager Financial Reporting Manager Corporate Performance and Engagement
AUTHOR:	Corporate Strategy Lead Corporate Performance Lead Corporate Planning & Reporting Officer Senior Management Accountant Senior Corporate Accountant
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

Our Quarterly Report has been revised to strengthen trust, support clear and open communication and present a summary of Council's position at the end of each quarter. The report outlines progress against our Operational Plan including budget and capital works program. We want to ensure our community stays up to date on the things that matter most to them.

Our Community Progress Report offers a summary of the projects and initiatives within Council's Operational Plan 2025-26 and Delivery Program 2025-2029.

With a strong community focus, this report provides accessible and transparent updates on budgetary and operational performance for the period of 1 October to 31 December 2025. It includes performance highlights and key operational activities aligned with the themes of our Community Strategic Plan, infrastructure works delivered under our capital works program, and our financial position as of 31 December 2025.

The attached Quarterly Budget Review Statement (QBRS) presents a summary of Council's financial position at the end of each quarter. It is a mechanism whereby Councillors and the community are informed of Council's progress against the Operational Plan (original

budget) and the last revised budget, along with recommended changes and reasons for major variances.

Quarter two budget review for 2025/26 reports a small increase of \$41K in the operating result and a projected reduction in capital expenditure of \$18.9M.

The \$41K increase in operating result (before capital) reflects a number of adjusting items. These include \$400K increase in investment income, \$628K for profit on sale of land, offset by \$400K increase in worker compensation insurance premiums, and \$302K in legal fees. Details are included in the attached report.

The \$18.9M reduction in capital expenditure reflects a series of adjustments to reflect the planned delivery of works for 2025/26. The funding for the projects that have been removed will be returned to the appropriate reserve for future reallocation.”

OFFICER'S RECOMMENDATION

THAT

- 1. Council receives the Community Progress Report (attachment 1), a report for the period October to December 2025 on progressing the Delivery Program 2025 – 2029.**
- 2. The report be made available to the community on Council's website and promoted via social media.**
- 3. Council receives progress against outstanding Council Resolutions, Notices of Motion and Mayoral Minute Actions (attachment 2),**
- 4. Council approves budget variations for the 31 December 2025 quarter two (attachment 3) and changes form part of the Operational Plan for 2025–26.**
- 5. Council approves variations to the Operational Plan as outlined in the report, allowing adjustments to support effective delivery of projects and initiatives.**

COUNCIL RESOLUTION**THAT**

1. Council receives the Community Progress Report (attachment 1), a report for the period October to December 2025 on progressing the Delivery Program 2025 – 2029.
2. The report be made available to the community on Council's website and promoted via social media.
3. Council receives progress against outstanding Council Resolutions, Notices of Motion and Mayoral Minute Actions (attachment 2),
4. Council approves budget variations for the 31 December 2025 quarter two (attachment 3) and changes form part of the Operational Plan for 2025-26.
5. Council approves variations to the Operational Plan as outlined in the report, allowing adjustments to support effective delivery of projects and initiatives.

Moved Cr S Halliday, Seconded Cr B Hackney

CARRIED

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

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

14.2 Quarter Two Grants Update 2025-26

FILE NO:	35/33/18/12
ATTACHMENTS:	Nil
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Manager Corporate Performance and Engagement Corporate Strategy Lead Corporate Grants Officer
MAITLAND'S FUTURE	3 Vibrant Maitland
COUNCIL OBJECTIVE:	3.3.2 Advocacy and partnerships

EXECUTIVE SUMMARY

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

This section aims to provide Councillors and the community with a comprehensive snapshot of our efforts to secure external funding, supporting key projects and initiatives within the Delivery Program 2025-2029.

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

OFFICER'S RECOMMENDATION

THAT

- 1. Council receives the Quarter Two (Q2) Grants Update for the period October to December 2025.**

COUNCIL RESOLUTION

THAT

- 1. Council receives the Quarter Two (Q2) Grants Update for the period October to December 2025.**

Moved Cr S Halliday, Seconded Cr B Worth

CARRIED

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

For:

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

Against:

14.3 Statement of Investments as at 31 January 2026

FILE NO:	82/2
ATTACHMENTS:	1. Council's Holdings as at 31 January 2026
RESPONSIBLE OFFICER:	Executive Manager Finance Manager Financial Reporting
AUTHOR:	Financial Accountant
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.1.3 Transparent decision making

EXECUTIVE SUMMARY

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

As at the end of January 2026, Council had investments totaling \$239,215,064 under management.

Council's investment portfolio recorded a marked-to-market return of 4.81% per annum versus the bank bill index benchmark return of 3.64% per annum. The actual investment return for the month of January was \$974,223, a favourable variance of \$119,714 when compared to the monthly budget forecasts of \$854,509.

The year-to-date budget forecast for investment returns is \$5,981,563. The actual investment returns for the year-to-date are \$6,531,193, amounting to a favourable variance of \$549,630 which can be attributed to the availability of funds to invest and the interest rate environment with actual returns of 4.69% per annum year to date compared to budgeted return of 4.48% per annum.

Council remains fully compliant with all Investment Policy requirements.

OFFICER'S RECOMMENDATION

THAT

- 1. The report indicating Council's Funds Management position be received and noted.**
 - 2. The certification of the Responsible Accounting Officer be noted and the report adopted.**
-

COUNCIL RESOLUTION

THAT

- 1. The report indicating Council's Funds Management position be received and noted.**
- 2. The certification of the Responsible Accounting Officer be noted and the report adopted.**

Moved Cr S Halliday, Seconded Cr K Jordan

CARRIED

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

For:

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

Against:

15 Items For Information

15.1 Walka Water Works Chimney – Status Update

FILE NO:	35/4
ATTACHMENTS:	<ol style="list-style-type: none"> 1. NoM 21-10-25 Walka Chimney 2. Letter to Member of Maitland, The Honourable Ms Jenny Aitchison MP 3. Response from Member of Maitland, The Honourable Ms Jenny Aitchison MP
RESPONSIBLE OFFICER:	Director City Services Manager Asset Strategy and Engineering
AUTHOR:	Operations Manager Asset Management
MAITLAND'S FUTURE	1 Liveable Maitland
COUNCIL OBJECTIVE:	1.1.1 Quality open space network
Previous Items:	17.2 – Walka Water Works Chimney Stack Brickwork – Ordinary Council – 21 Oct 2025 5:30 PM

EXECUTIVE SUMMARY

At the Council Meeting held on 21 October 2025, Council resolved to seek urgent support and funding from the Member for Maitland, The Honourable Ms Jenny Aitchison MP, for rectification of the Walka Water Works Pump House Chimney. This report provides an update on actions undertaken since that resolution and the current progress of project planning and approvals.

OFFICER'S RECOMMENDATION

THAT the information contained in this Report be noted.

COUNCIL RESOLUTION

THAT the information contained in this Report be noted.

Moved Cr W Penfold, Seconded Cr A Atkinson

CARRIED

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

For:

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

Against:

DRAFT

16 Notices of Motion/Rescission

16.1 Urgent Management of Pigeon Infestations in The Levee

Notice of Motion Submitted by Cr Amelia Atkinson

FILE NO: 35/4/8
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Amelia Atkinson has indicated her intention to move the following Notice of Motion at the next Council Meeting being held on Tuesday 17 February 2026:

THAT:

1. Council undertake urgent action to address escalating pigeon infestation within The Levee precinct
2. Investigate and report on effective deterrent management options, including but not limited to:
 - sound based deterrent systems
 - netting, proofing and structural exclusion
 - improved waste management practices and food source reduction
 - coordinated partnerships with affected property owners and tenants
3. Provide immediate support to impacted businesses and Council tenants through timely communication, temporary mitigation measures, and clear timeframes for permanent solutions.
4. Report back to Council by June 2026 with recommended actions, associated costs, and implementation timelines.

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr A Atkinson, Cr D Ferris)

THAT

1. Council undertake urgent action to address escalating pigeon infestation within The Levee precinct
2. Investigate and report on effective deterrent management options, including but not limited to:
 - sound based deterrent systems
 - netting, proofing and structural exclusion
 - improved waste management practices and food source reduction
 - coordinated partnerships with affected property owners and tenants
 - a control program
3. Provide immediate support to impacted businesses and Council tenants through timely communication, temporary mitigation measures, and clear timeframes for permanent solutions.
4. Report back to Council by June 2026 with recommended actions, associated costs, and implementation timelines.

Councillor S Halliday moved an amendment
(Cr S Halliday, Cr M Griffin)

THAT

1. Council notes that there are some locations within the LGA where pigeons are problematic.
2. Where pigeons impact an area, Council officers act to clean public spaces to a more appropriate level and act where reasonable to deter.
3. Council officers when approached assist businesses with appropriate advice to deter the birds.

The amendment when put to the meeting was declared carried.

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

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

The amendment now becomes the motion.

Councillor Race Barstow proposed an additional point to the above motion which was accepted by the mover and seconder.

THAT

1. Council notes that there are some locations within the LGA where pigeons are problematic.
2. Where pigeons impact an area, Council officers act to clean public spaces to a more appropriate level and act where reasonable to deter.
3. Council officers when approached assist businesses with appropriate advice to deter the birds.
4. That Council consider whether an invasive pest policy/plan of management is appropriate and make contact with Department of Primary Industries regarding the issue.

The motion when put to the meeting was declared carried.

COUNCIL RESOLUTION

- 1. Council notes that there are some locations within the LGA where pigeons are problematic.**
- 2. Where pigeons impact an area, Council officers act to clean public spaces to a more appropriate level and act where reasonable to deter.**
- 3. Council officers when approached assist businesses with appropriate advice to deter the birds.**
- 4. That Council consider whether an invasive pest policy/plan of management is appropriate and make contact with Department of Primary Industries regarding the issue.**

Moved Cr S Halliday, Seconded Cr M Griffin

CARRIED

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

For:

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

Against:

16.2 Raworth Off-Leash Dog Park

Notice of Motion Submitted by Cr Mitchell Griffin

FILE NO: 35/8/4
ATTACHMENTS: Nil
RESPONSIBLE OFFICER: General Manager

Cr Mitchell Griffin has indicated his intention to move the following Notice of Motion at the next Council Meeting being held on Tuesday, 17 February:

THAT

1. Council investigates into the provision of lighting from sunset until 8:30pm at Raworth off-leash fenced dog park.
2. Council reports back to council within 6 months on progress and estimated costings.

PROCEEDINGS IN BRIEF

A motion was moved.
(Cr M Griffin, Cr R Barstow)

THAT

1. Council investigates into the provision of lighting from sunset until 8:30pm at Raworth off-leash fenced dog park.
2. Council reports back to council within 6 months on progress and estimated costings.

Cr D Ferris moved an amendment
(Cr D Ferris, C R Barstow)

THAT

1. Council investigates into the provision of lighting from sunset until 8:30pm at Raworth off-leash fenced dog park and Rutherford off-leash fenced dog park.
2. Council reports back to council within 6 months on progress, estimated costings & grant opportunities including the consideration of utilising solar / battery lighting options.

The amendment when put to the meeting was declared carried.

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

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

The amendment now becomes the motion.

COUNCIL RESOLUTION

1. Council investigates into the provision of lighting from sunset until 8:30pm at Raworth off-leash fenced dog park and Rutherford off-leash fenced dog park.
2. Council reports back to council within 6 months on progress, estimated costings & grant opportunities including the consideration of utilising solar / battery lighting options.

Moved Cr D Ferris, Seconded Cr R Barstow

CARRIED

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

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

17 QUESTIONS WITH NOTICE

Nil

18 URGENT BUSINESS

Nil

Council moved into Committee of the Whole at 7:39 pm.

Moved Cr B Worth, Seconded Cr R Barstow

CARRIED

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

For:

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

Against:

Council moved into Closed Session of the Committee of the Whole for the reasons specified in the Agenda, and closed the meeting to the public at 7:40 pm.

Moved Cr B Worth, Seconded Cr K Jordan

CARRIED

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

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

DRAFT

19 Committee of the Whole

19.1 Future Use of 285–287 High Street, Maitland

FILE NO:	81898
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Council Report – 12 December 2023 2. Property Advisory Panel Report – 29 January 2026 (Under Separate Cover)
RESPONSIBLE OFFICER:	Executive Manager Finance
AUTHOR:	Senior Property Advisor
MAITLAND'S FUTURE	4 Achieving together
COUNCIL OBJECTIVE:	4.3.1 Informed planning

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

EXECUTIVE SUMMARY

This report seeks Council endorsement to consider the future of 285 High Street, Maitland (former Administration Building).

Since Council's December 2023 resolution, further expert property, financial and market advice has been obtained to ensure decisions regarding the site are informed, responsible and aligned with Council's strategic objectives.

The report outlines a range of potential options for the site. Council will determine the most appropriate way forward having regard to relevant financial, governance and strategic considerations.

Any future course of action will be subject to further investigation and, where required, additional reports to Council prior to a final decision being made.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

PROCEEDINGS IN BRIEF

Councillor Griffin moved a motion
(Cr M Griffin, Cr A Atkinson)

THAT

1. Council endorse option 3 – demolition of 285 High Street, Maitland

COMMITTEE RECOMMENDATION

THAT

1. Council endorse Option 3 – demolition of 285 High Street, Maitland

Moved Cr M Griffin, Seconded Cr A Atkinson

CARRIED

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

For:

Cr A Atkinson
Cr R Barstow
Cr K Flannery
Cr M Griffin
Cr B Hackney
Cr S Halliday
Cr B Whiting
Cr B Worth
Cr M Yarrington

Against:

Cr D Ferris
Cr K Jordan
Mayor P Penfold
Cr W Penfold

19.2 Consideration of Tenders – 2025/419 Chisholm Sports Complex Amenities Building

FILE NO:	2025/419
ATTACHMENTS:	1. 2025/419 Tender Evaluation Matrix
RESPONSIBLE OFFICER:	Director City Services Manager Works
AUTHOR:	Civil Engineer Project Manager – Delivery
MAITLAND'S FUTURE	Outcome 1 Liveable Maitland
COUNCIL OBJECTIVE:	1.3 Welcoming community

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

EXECUTIVE SUMMARY

Maitland City Council's City Services team has undertaken a two-stage competitive tender process to identify a suitably experienced and qualified Contractor to undertake the Design and Construction of the proposed Amenities Building at Chisholm Sports Complex.

The first stage of this process was to approach the market via Tenderlink with an Expression of Interest (EOI) to establish a shortlist of interested and suitably qualified Contractors to invite to a second stage competitive tender. Sixteen (16) submissions were received and assessed by a four-person evaluation panel of Council Officers. From this assessment, eight (8) applicants of the EOI process were invited to submit a price via the competitive Tender process.

Five (5) applicants made tender submissions, which were assessed by the same four-person tender evaluation panel. Following evaluation and consensus by the tender evaluation panel a single preferred supplier has been identified.

This report provides details of the tender assessment process and a recommendation to proceed with award of contract with the preferred supplier, pending contract finalisation.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

Cr M Griffin left the chambers at 8:22pm

Cr M Griffin returned to the chambers at 8:24pm

COMMITTEE RECOMMENDATION**THAT**

1. **The Council accepts the tender submission from Babic Constructions Pty Ltd for the Design and Construction of Chisholm Sports Complex Amenities Building and associated works, for the contract sum of \$3,320,254.00 excluding GST.**
2. **Council authorises the General Manager to award the construction contract to the value listed above.**

Moved Cr M Griffin, Seconded Cr R Barstow

CARRIED

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

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

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

Moved Cr M Griffin, Seconded Cr D Ferris

CARRIED

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

For:

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

Against:

19.3 Tender HRR 0001B – Receiving and Processing of Domestic Kerbside Recycling Product

FILE NO:	55/2
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Board Report – Tender Evaluation Committee Recommendation 2. Probity Advisor Report: Regional Receiving and Processing of Domestic Kerbside Recycling Product Contract RFT
RESPONSIBLE OFFICER:	Manager Environment & Sustainability Operations Manager Waste Services
AUTHOR:	Sustainability Officer (Waste)
MAITLAND’S FUTURE	2 Sustainable Maitland
COUNCIL OBJECTIVE:	2.2.4 Circular economy

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

EXECUTIVE SUMMARY

Council’s current kerbside recyclables collection and processing service is delivered under contract by Solo Waste P/L, trading as Solo Resource Recovery (Solo). The current contract for the recycling service expires on 1 January 2027, or can be extended up to a further 18 months, up to 30 June 2028, if required.

Council has a Declaration of Trust that delegates to Hunter Resource Recovery ACN 071 432 570 the function of providing a waste recycling service, being a service and/or facility and/or activity with the meaning of Section 24 of the Local Government Act. This report addresses the tender process for the replacement contract and recommends awarding a tender.

If Council supports awarding a tender, it is appropriate that the details of that determination remain confidential pending determinations by other member Councils.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

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

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

COMMITTEE RECOMMENDATION

THAT

- 1. Council accept Tender HRR 0001B in accordance with the recommendation on Page 17 of Attachment 1.**
- 2. Council approve for Hunter Resource Recovery to enter into a contract with the preferred tenderer on Council's behalf for Receiving and Processing of Domestic Kerbside Recycling Product (HRR0001B) for a period of 15 years with two, five-year extension options.**

Moved Cr M Griffin, Seconded Cr B Hackney

CARRIED

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

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

Council resumed into Ordinary Council at 8:29 pm.

Moved Cr B Whiting, Seconded Cr B Worth

CARRIED

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

For:

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

Against:

20 Committee of the Whole Recommendations

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

19.1 Future Use of 285-287 High Street, Maitland

THAT

1. Council endorse Option 3 - Demolition of 285 High Street, Maitland.

19.2 Consideration of Tenders - 2025/419 Chisholm Sports Complex Amenities Building

THAT

1. The Council accepts the tender submission from Babic Constructions Pty Ltd for the Design and Construction of Chisholm Sports Complex Amenities Building and associated works, for the contract sum of \$3,320,254.00 excluding GST.
2. Council authorises the General Manager to award the construction contract to the value listed above.

19.3 Tender HRR 0001B - Receiving and Processing of Domestic Kerbside Recycling Product

THAT

1. Council accept Tender HRR 0001B in accordance with the recommendation on Page 17 of Attachment 1.
2. Council approve for Hunter Resource Recovery to enter into a contract with the preferred tenderer on Council's behalf for Receiving and Processing of Domestic Kerbside Recycling Product (HRR0001B) for a period of 15 years with two, five-year extension options.

COUNCIL RESOLUTION

THAT

The Committee's recommendations be adopted

Moved Cr M Griffin, Seconded Cr R Barstow

CARRIED

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

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

21 Closure

The meeting was declared closed at 8:31 pm.

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Chairperson