



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 26 July 2023

4pm

at

Armidale Council Chambers

**PRESENT:** Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor), Councillor Paul Gaddes, Councillor Susan McMichael, Councillor Steven Mephram, Councillor Debra O'Brien, Councillor Margaret O'Connor, Councillor Paul Packham, Councillor Dorothy Robinson and Councillor Bradley Widders.

**IN ATTENDANCE:** Mr James Roncon (General Manager), Ms Aimee Hutton (Acting Chief Officer Corporate and Community), Mr Daniel Boyce (Chief Officer Planning and Activation), Mr Alex Manners (Chief Officer Assets and Services), Ms Ann Newsome (Chief Financial Officer), Ms Simone Mooketsi (Manager Governance and Strategy) and Ms Melissa Houtt (Executive Officer).

MINUTES

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<i>(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it;</i>	

*or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).*

- 15.2 Mayoral Minute: General Manager's Performance Review .....9  
*(General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual).*

**1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**

Cr McMichael delivered the Civic Affirmation and Cr Widders delivered the Acknowledgement of Country.

**2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS**

The General Manager delivered the statement.

**3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

Cr Galletly apology be accepted and leave of absence granted.

**4. DISCLOSURES OF INTEREST**

Nil.

**5. CONFIRMATION OF MINUTES**

**5.1 Minutes of Previous Meeting held 28 June 2023** *Ref: AINT/2023/12639 (ARC16/0001-8)*

89/23

**RESOLVED**

That the Minutes of the Ordinary Council meeting held on 28 June 2023 be taken as read and accepted as a true record of the meeting, noting the proposed minor correction to agenda item 8.4, draft resolution 72/23, dot point two, to read s55(3)(i); the (3) having been inadvertently omitted.

**Moved Cr O'Connor**

**Seconded Cr Redwood**

**The Motion on being put to the vote was CARRIED unanimously.**

**6. MAYORAL MINUTE**

**6.1 Mayoral Minute - Appointment of Acting General Manager**

*Ref: AINT/2023/14976 (ARC16/0001-8)*

90/23

**RESOLVED**

That Council;

- a. Appoint Chief Officer Planning and Activation, Mr Daniel Boyce, to the role of Acting General Manager from Monday 1 September 2023 to Friday 20 October 2023 whilst General Manager, Mr James Roncon, is on a period of annual leave.
- b. Approves that the General Manager's Delegations of Authority and Authorisations pursuant to *Part 3 of the Local Government Action 1993 Sections 377 and 381* be issued to Council's Chief Officer Planning and Activation, Mr Daniel Boyce, to be able to carry out all functions of the General Manager whilst in the role of Acting General Manager from Monday 1 September 2023 to Friday 20 October 2023.

**Moved Cr Coupland**

**The Motion on being put to the vote was CARRIED unanimously.**

## **7. REPORTS - GENERAL MANAGER'S OFFICE**

### **7.1 Mayor and Councillors Remuneration 2023-24** *Ref: AINT/2023/15047 (ARC16/0001-8)*

91/23

#### **RESOLVED**

That Council:

a) Fix the following fees payable for the 2023-24 financial year:

Councillor Annual Fee	\$26,070
Mayor Additional Annual Fee	\$64,390

b) Note that the annual fee fixed and payable to the Mayor is in addition to the fee paid to the Mayor as a Councillor.

**Moved Cr O'Brien**

**Seconded Cr O'Connor**

**The Motion on being put to the vote was CARRIED unanimously.**

### **7.2 Council Actions Report January 2022 - June 2023** *Ref: AINT/2023/15253 (ARC16/0001-8)*

92/23

#### **RESOLVED**

That Council notes the report summarising the actions taken on the resolutions of Council.

**Moved Cr Redwood**

**Seconded Cr Robinson**

**The Motion on being put to the vote was CARRIED unanimously.**

## **8. REPORTS - FINANCE**

### **8.1 Cash and Investment Report 30 April 2023** *Ref: AINT/2023/11956 (ARC16/0001-8)*

93/23

#### **RESOLVED**

That Council note the Cash and Investment Report for April 2023.

**Moved Cr Mephram**

**Seconded Cr Packham**

**The Motion on being put to the vote was CARRIED unanimously.**

## **9. REPORTS - PLANNING AND ACTIVATION**

Nil.

## 10. REPORTS - CORPORATE AND COMMUNITY

### 10.1 Business Ethics Policy

*Ref: AINT/2023/14418 (ARC21/4473)*

94/23

#### RESOLVED

##### That Council:

- a. That council endorse the Statement of Business Ethics Policy (attached) to be placed on public exhibition for a period of 28 days commencing Monday 31 July 2023 and concluding 28 August 2023.
- b. Receive a further report should any submissions be received as a result of the exhibition period, however should no submissions be received the policy be adopted.
- c. Table the report at the next meeting of the Audit, Risk and Improvement Committee for information.

**Moved Cr McMichael**

**Seconded Cr O'Connor**

**The Motion on being put to the vote was CARRIED unanimously.**

### 10.2 Legislation Compliance Policy

*Ref: AINT/2023/14423 (ARC21/4472)*

95/23

#### RESOLVED

##### That Council:

- a. Endorse the Legislative Compliance Policy (attached) to be placed on public exhibition for a period of 28 days commencing Monday 31 July 2023 and concluding 28 August 2023.
- b. Receive a further report should any submissions be received as a result of the exhibition period, however should no submissions be received the policy be adopted.
- c. Subject to adoption, refer the Policy to the Audit, Risk and Improvement Committee for information.

**Moved Cr McMichael**

**Seconded Cr O'Connor**

**The Motion on being put to the vote was CARRIED unanimously.**

## 11. REPORTS - ASSETS AND SERVICES

### 11.1 Kempsey Road Status Report

*Ref: AINT/2023/13619 (ARC23/6087)*

96/23

#### RESOLVED

That Council note information within the report regarding the Kempsey –Armidale Road Restoration Project following the Steering Committee held Thursday 13 July 2023.

**Moved Cr Redwood**

**Seconded Cr O'Brien**

**The Motion on being put to the vote was CARRIED unanimously.**

**12. NOTICES OF MOTION**

Nil.

**13. COMMITTEE REPORTS**

**13.1 Audit, Risk and Improvement Committee - Minutes of the meeting held 15**

**June 2023**

*Ref: AINT/2023/13964 (ARC23/5778)*

97/23

**RESOLVED**

That Council note the Minutes of the ARIC meeting held on 15 June 2023.

**Moved Cr Redwood**

**Seconded Cr O'Brien**

**The Motion on being put to the vote was CARRIED unanimously.**

**14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN**

Nil.

**PROCEDURAL MOTION**

98/23

**RESOLVED**

**a) That Council move into closed Session to receive and consider the following items:**

15.1 Evaluation Report and Recommendation - ARC Building Trades Panel of Pre-Qualified Contractors. (AINT/2023/09554) - ***(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).***

15.2 Mayoral Minute: General Manager's Performance Review. (AINT/2023/15224) - ***(General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual).***

b) That Council exclude the press and public from the proceedings of the Council in Confidential Session pursuant to Section 10A, subsections 2 & 3 and section 10B of the Local Government Act 1993, on the basis that the items to be considered are of a confidential nature.

c) That Council make the resolutions made in Confidential Session public as soon as practicable.

**Moved Cr O'Brien**

**Seconded Cr Robinson**

**The Motion on being put to the vote was CARRIED unanimously.**

Council entered Closed Session at 4:11pm.

Council returned to Open Session at 4:33pm.

### **RESUMPTION OF MEETING**

99/23

#### **RESOLVED**

That Council move back into open Session and that the resolutions of the closed Session be made public.

**Moved Cr O'Brien**

**Seconded Cr O'Connor**

**The Motion on being put to the vote was CARRIED unanimously.**

### **15. CLOSED SESSION**

#### **15.1 Evaluation Report and Recommendation - ARC Building Trades Panel of Pre - Qualified Contractors**

*Ref: AINT/2023/09554 (ARC21/4871)*

100/23

#### **RESOLVED**

That Council:

- a. Accept the following suppliers for inclusion into its Building Trades Prequalified Panel of contractors for a two-year period subject to the terms and conditions, quality, resources, rates and services as tendered:
  - Davies and Sons Electrical Services Pty Ltd
  - R&R Communications
  - Vince Williams Electrical
  - Armidale Electrical
  - Tri Tech Security Armidale
  - M J Straub PTY LTD – T/A First Flush Plumbing and Gas
  - Flick Anticimex Pty Ltd
  - Rentokil Initial Pty Ltd
  - Bri Ant Pest Control
  - Statewide Pest Solutions & Bird Netting Pty Ltd
  - AS and IJ Sole T/a Sustainable Plant Design
  - Dynamic Fire
  - Lockman Doors and Glass
  - Love Paint Pty Ltd
  - EnviroScience Solutions
  - Hazchek Pty Ltd

- Rice Construction Group Pty Ltd
  - Sunwest Constructions Pty Ltd
  - Chill-Rite Refrigeration & Air Conditioning
  - Armidale Air Conditioning Pty Ltd
  - Faircloth & Reynolds
- b. Perform a Public Tender refreshment/on boarding process in 12 months and/or as specified to consider other entrants in the market for Council's Building Trades Panel of Pre-qualified Contractors based on terms and conditions, quality, resources, rates and services as tendered and;
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract and to delegate contract and financial management including authority required to extend this arrangement under the terms and conditions of the tender documentation.

**Moved Cr O'Brien**

**Seconded Cr Packham**

**The Motion on being put to the vote was CARRIED unanimously.**

The General Manager and Executive Team left the Chamber at 4:14pm

## **15.2 Mayoral Minute: General Manager's Performance Review** *Ref: AINT/2023/15224 (RON.J)*

101/23

### **RESOLVED**

That Council:

- a. Note and endorse the Review Panels assessment of the General Managers 2022-23 Annual Performance Review as 'Outstanding' with an overall average rating of 9.10 out of 10, noting that 16 of 20 KPI's were assessed as a 'Significant Strength' and 4 of 20 KPI's were assessed as 'Area of Strength'.
- b. That the GM's remuneration be adjusted as follows:
- i. Reduce the annual car contribution from \$16,000 to \$12,000.
  - ii. the increase in the Superannuation Guarantee Levy be borne by Armidale Regional Council.
  - iii. provide the opportunity to work remotely in the week following an Ordinary Council Meeting.

**Moved Cr Coupland**

**The Motion on being put to the vote was CARRIED unanimously.**

The General Manager and Executive Team returned to the Chamber at 4:32pm.

There being no further business the Mayor declared the meeting closed at 4:36pm.