



## ORDINARY MEETING OF COUNCIL

Held on

Thursday, 27 January 2022

4pm

at

Armidale Council Chambers

**PRESENT:** Councillor Sam Coupland (Mayor - Zoom), Councillor Todd Redwood (Deputy Mayor - Chair), Councillor Paul Gaddes, Councillor Jon Galletly, 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), Mr Darren Schaefer (Acting Chief Officer Corporate and Strategy - Zoom), Mr Daniel Boyce (Chief Officer Sustainable Development), Mr Alex Manners (Chief Officer Assets and Services - Zoom), Ms Kelly Stidworthy (Manager Financial Services – Zoom) and Ms Jessica Bower (Executive Officer).

MINUTES

## Index

|   |   |
|---|---|
| <b>1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY</b>  |   |
| <b>2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS</b>   |   |
| <b>3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS</b>  |   |
| <b>4. DISCLOSURES OF INTEREST</b>   |   |
| <b>5. CONFIRMATION OF MINUTES</b>   |   |
| 5.1 Confirmation of the Minutes of the Ordinary Council Meeting held on 12 January 2022 .....   | 4 |
| <b>6. MAYORAL MINUTE</b>  |   |
| 6.1 Mayoral Minute - Planning Agreement for the Airport East Industrial Subdivision....   | 4 |
| 6.2 Mayoral Minute - A Region and a Regional City of Significance .....   | 5 |
| <b>7. NOTICES OF MOTION</b>   |   |
| 7.1 Motion for 2022 Local Government Conference .....   | 5 |
| <b>8. LEADERSHIP FOR THE REGION</b>   |   |
| 8.1 LGNSW Special Conference.....   | 6 |
| 8.2 Public Exhibition of Councillor Expenses and Facilities Policy .....  | 6 |
| 8.3 FOR INFORMATION: Councillor Induction and Professional Development Program..  | 6 |
| 8.4 Council Actions Report January 2022 .....   | 7 |
| <b>9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT</b>   |   |
| 9.1 FOR INFORMATION: Presentation of Audited Financial Statements and Audit Reports Year Ended 30 June 2021 .....   | 7 |
| 9.2 FOR INFORMATION: Cash and Investment Report 30 November 2021 .....  | 7 |
| 9.3 FOR INFORMATION: Cash and Investment Report 31 December 2021 .....  | 7 |
| <b>10. ENVIRONMENT AND INFRASTRUCTURE</b>   |   |
| 10.1 Guyra and District Pony Club inc - Expenditure of Grant Funding from Phase Two, NSW Showgrounds Stimulus Program for the Construction of a Toilet / Show Buiding. .... | 8 |
| 10.2 Transfer of Crown road/s ownership to Council.....   | 8 |
| 10.3 Dumaresq Dam Safety Upgrade Project - Progress update & Request to increase Contract Purchase Order .....  | 8 |
| <b>11. OUR PEOPLE AND COMMUNITY</b>   |   |
| 11.1 Aboriginal Cultural Centre and Keeping Place - Community responses to proposed funding sources for unbudgeted Council grant. ....                                      | 9 |
| 11.2 Community Plan - Key Pillar Working Groups.....  | 9 |
| <b>12. COMMITTEE REPORTS</b>  |   |
| 12.1 Traffic Advisory Committee - Minutes of the meeting held 7 December 2022 .....   | 9 |
| <b>13. MATTERS OF AN URGENT NATURE</b>  |   |

#### 14. QUESTIONS ON NOTICE

#### 15. CLOSED SESSION

- 15.1 Construction of new amenities building at Guyra ShowGround .....11  
(General Manager's Note: Commercial in confidence and is deemed confidential under Section 10A(2)(c) of the *Local Government Act 1993*, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).
- 15.2 Engagement of Contractor - Lynches Road Netball Court Lighting .....12  
(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the *Local Government Act 1993*, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).
- 15.3 Engagement of Contractor - Armidale Regional Airport Airside Stormwater Upgrades .....12  
(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the *Local Government Act 1993*, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).
- 15.4 Armidale Court House .....13  
(General Manager's Note: The report considers Armidale Court House and is deemed confidential under Section 10A(2)(c) of the *Local Government Act 1993*, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).
- 15.5 Engagement of Contractor - RFT A2022-02 - Bitumen Reseal and Asphalt program for ARC 2021-22 .....13  
(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the *Local Government Act 1993*, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).

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

Deputy Mayor Cr Redwood Chaired the meeting.

Cr Gaddes delivered the Civic Affirmation and Cr O'Connor 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 - NIL**

**4. DISCLOSURES OF INTEREST – NIL**

**5. CONFIRMATION OF MINUTES**

**5.1 Confirmation of the Minutes of the Ordinary Council Meeting held on 12 January 2022**

*Ref: AINT/2021/45015 (ARC16/0001-6)*

12/22

**RESOLVED**

That the Minutes of the Ordinary Council meeting held on 12 January 2022 be taken as read and accepted as a true record of the Meeting with the following two corrections:

- that item 8.7 Part 1 records that Cr Gaddes voted AGAINST; and
- that item 8.7 Part 2 records that Cr Gaddes voted FOR.

**Moved Cr Gaddes**

**Seconded Cr O'Connor**

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

**6. MAYORAL MINUTE**

**6.1 Mayoral Minute - Planning Agreement for the Airport East Industrial Subdivision**

*Ref: AINT/2022/01391 (ARC16/0025-6)*

13/22

**RESOLVED**

That Council endorse the formation of a working party consisting of Cr Margaret O'Connor, Cr Paul Gaddes, Cr Paul Packham and the Chief Officer Sustainable Development to progress matters associated with the planning agreement dispute with the developer of the Armidale East Airport Subdivision.

**Moved Cr Coupland**

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

## 6.2 Mayoral Minute - A Region and a Regional City of Significance

Ref: AINT/2022/01397 (ARC16/0025-6)

14/22

### RESOLVED

That Council:

- a. Set an aspirational target to grow jobs in our region by 4,000 by 2040 and generate at least 1,000 new jobs over the next 5 years.
- b. Identify the region building infrastructure and catalyst job growth projects that will maximise the region's potential and advocate for both State and Federal Government support.
- c. Invite the Hon. Barnaby Joyce, MP, Deputy Prime Minister of Australia to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance.
- d. Invite Senator the Hon. Bridget McKenzie, Minister for Regionalisation to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance.
- e. Invite the Hon. Mr Adam Marshall, MP to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance.
- f. Hold an elected member Strategic Planning and Jobs Growth Summit in February 2022, facilitated by external advisors, to determine Council's vision for the Armidale region and inform the necessary next steps required to realise that vision.

**Moved Cr Coupland**

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

## 7. NOTICES OF MOTION

7.1 Motion for 2022 Local Government Conference Ref: AINT/2022/01476 (ARC16/0025-6)

15/22

### RESOLVED

That the Armidale Regional Council submit a motion to the LGNSW 2022 Conference requesting the "LGNSW lobby the NSW government on the issue of homelessness and affordable housing in regional areas and ensure funding measures and stimulus mechanisms are activated to keep affordable housing supply at pace with regional economic development".

**Moved Cr O'Connor**

**Seconded Cr McMichael**

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

## **8. LEADERSHIP FOR THE REGION**

### **8.1 LGNSW Special Conference**

*Ref: AINT/2021/33628 (ARC16/0144)*

16/22

#### **RESOLVED**

- a. That the Mayor, Deputy Mayor and Cr Debra O'Brien be appointed as Council's voting delegates for the LGNSW Special Conference being held in Sydney from Monday 28 February through Wednesday 2 March 2022.
- b. That the motions submitted by Armidale Regional Council be noted.

**Moved Cr O'Connor**

**Seconded Cr Galletly**

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

### **8.2 Public Exhibition of Councillor Expenses and Facilities Policy**

*Ref: AINT/2022/00207 (ARC16/0060-2)*

17/22

#### **RESOLVED**

That Council:

- a. Endorse the draft Councillor Expenses and Facilities Policy for public exhibition for a minimum period of 28 days; and
- b. Receive a further report at the conclusion of the exhibition period.

**Moved Cr Galletly**

**Seconded Cr Robinson**

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

### **8.3 Councillor Induction and Professional Development Program**

*Ref: AINT/2022/00665 (ARC21/4936)*

18/22

#### **RESOLVED**

That Council note the contents of this report.

**Moved Cr Widders**

**Seconded Cr Gaddes**

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

**8.4 Council Actions Report January 2022**

*Ref: AINT/2022/01036 (ARC16/0001-7)*

19/22

**RESOLVED**

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

**Moved Cr Widders**

**Seconded Cr Galletly**

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

**9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT**

**9.1 Presentation of Audited Financial Statements and Audit Reports Year Ended 30**

**June 2021**

*Ref: AINT/2021/42162 (ARC16/0001-6)*

20/22

**RESOLVED**

That Council note the report on the presentation of the audited Annual Financial Statements for the year ended 30 June 2021.

**Moved Cr Robinson**

**Seconded Cr McMichael**

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

**9.2 Cash and Investment Report 30 November 2021**

*Ref: AINT/2021/44845 (ARC16/0001-7)*

21/22

**RESOLVED**

That Council note the Cash and Investment Report for November 2021.

**Moved Cr Packham**

**Seconded Cr Widders**

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

**9.3 Cash and Investment Report 31 December 2021**

*Ref: AINT/2022/00412 (ARC16/0001-7)*

22/22

**RESOLVED**

- a) That Council note the Cash and Investment Report for December 2021.
- b) Request an updated Expected 2022 Year-end cash forecast be presented at the February OCM.

**Moved Cr Packham**

**Seconded Cr Gaddes**

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

## **10. ENVIRONMENT AND INFRASTRUCTURE**

### **10.1 Guyra and District Pony Club inc - Expenditure of Grant Funding from Phase Two, NSW Showgrounds Stimulus Program for the Construction of a Toilet / Show Buiding.**

*Ref: AINT/2022/00152 (ARC21/4664)*

23/22

#### **RESOLVED**

That Council:

- a. Note no submission were received during the period of Public Exhibition; and
- b. Council staff will enter into a payment schedule as negotiated with the Guyra and District Pony Club Incorporated and the successful contractor.

**Moved Cr Galletly**

**Seconded Cr Robinson**

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

### **10.2 Transfer of Crown road/s ownership to Council** *Ref: AINT/2022/00987 (ARC16/0351-2)*

24/22

#### **RESOLVED**

That Council:

- a. Endorse an application to the Crown for transfer of ownership of Lucas Lane, Armidale to Council as the Roads authority.
- b. Endorse an application to the Crown for transfer of ownership of Imbandja Lane, Armidale to Council as the Roads authority.

**Moved Cr O'Connor**

**Seconded Cr Widders**

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

### **10.3 Dumaresq Dam Safety Upgrade Project - Progress update & Request to increase Contract Purchase Order**

*Ref: AINT/2022/01020 (ARC19/3458)*

25/22

#### **RESOLVED**

That Council:

- a. note the status report for the Dumaresq Dam Safety Upgrade Project up to December 2021; and
- b. approve the increase in the Purchase Order for the construction contractor, Leed Engineering and Construction Pty Ltd, by \$2,490,129 (excl. GST), from \$5,096,834 (excl. GST) to \$7,586,963 (excl. GST) to enable completion of the project with variations to date and expected costs to complete.

**Moved Cr O'Connor**

**Seconded Cr Packham**

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



## **11. OUR PEOPLE AND COMMUNITY**

### **11.1 Aboriginal Cultural Centre and Keeping Place - Community responses to proposed funding sources for unbudgeted Council grant**

*Ref: AINT/2022/01098 (ARC16/0025-6)*

26/22

#### **RESOLVED**

That Council:

- a) Take note of the Community Feedback;
- b) Authorise the General Manager to fund \$13,000 immediately as proposed;
- c) authorise the General Manager under delegation to explore the balance of the grant (\$26,600) through other means with recommendations to be received prior to the March 2022 OCM.

**Moved Cr O'Connor**

**Seconded Cr McMichael**

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

### **11.2 Community Plan - Key Pillar Working Groups**

*Ref: AINT/2022/01460 (ARC16/0025-6)*

27/22

#### **RESOLVED**

That the Mayor and General Manager further develop the framework of the Key Pillar Working Groups and how they will operate before liaising with individual Councillors to establish specific Councillor interest in KPWG membership and a report be presented to the February 2022 Ordinary Meeting of Council confirming such.

**Moved Cr Robinson**

**Seconded Cr Gaddes**

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

## **12. COMMITTEE REPORTS**

### **12.1 Traffic Advisory Committee - Minutes of the meeting held 7 December 2021**

*Ref: AINT/2021/45473 (ARC16/0168-6)*

28/22

#### **RESOLVED**

That:

- a) Council note that the Traffic Advisory Committee endorsed the temporary road closure of Canambe Street between Dumaresq and Kirkwood Street for the 21, 22 & 23 January 2022, for the Annual Armidale Camp draft.
- b) Council note the Traffic Advisory Committee endorsement of the temporary road closure of Tingcombe Lane from 8am until 5pm, 26 January 2022, for Australia Day Celebrations in Central Park.

**Moved Cr Widders**

**Seconded Cr McMichael**

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

**13. MATTERS OF AN URGENT NATURE – NIL**

**14. QUESTIONS ON NOTICE - NIL**

**PROCEDURAL MOTION**

29/22

**RESOLVED**

- a) That Council move into closed Session to receive and consider the following items:
- 15.1 Construction of new amenities building at Guyra ShowGround. (AINT/2021/45448) - ***(General Manager's Note: Commercial in confidence and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).***
- 15.2 Engagement of Contractor - Lynches Road Netball Court Lighting. (AINT/2022/01044) - ***(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).***
- 15.3 Engagement of Contractor - Armidale Regional Airport Airside Stormwater Upgrades. (AINT/2022/01062) - ***(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).***
- 15.4 Armidale Court House. (AINT/2022/01344) - ***(General Manager's Note: The report considers Armidale Court House and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).***
- 15.5 Engagement of Contractor - RFT A2022-02 - Bitumen Reseal and Asphalt program for ARC 2021-22. (AINT/2022/01458) - ***(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).***

**Moved Cr Robinson**

**Seconded Cr Widders**

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

Council entered Closed Session at 4:45pm.

Council returned to Open Session at 5:13pm.

## **RESUMPTION OF MEETING**

30/22

### **RESOLVED**

That Council move out of Closed Session and the resolutions of Closed Session be made public.

**Moved Cr O'Brien**

**Seconded Cr Galletly**

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

## **15. CLOSED SESSION**

### **15.1 Construction of new amenities building at Guyra Showground**

*Ref: AINT/2021/45448 (ARC21/4963)*

31/22

### **RESOLVED**

That Council:

- a. Accept the tender submitted by Sunwest Constructions Pty Ltd of \$427,657.10 inc. GST (\$388,780 exc. GST) for the demolition and construction of an amenities building at Guyra Showground.
- b. Delegate authority to the General Manager to approve expenditure up to the upper limit funding of \$419,961 exc. GST that is available for the project as approved by the Department - Planning Industry & Environment – Phase Two, NSW Showgrounds Stimulus Program.
- c. Delegate authority to the General Manager to execute all documents in relation to the contract.

**Moved Cr Galletly**

**Seconded Cr McMichael**

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

### 15.2 Engagement of Contractor - Lynches Road Netball Court Lighting

Ref: AINT/2022/01044 (ARC21/4882)

32/22

#### RESOLVED

That Council:

- a) Accept the tender submitted by Home Green Pty Ltd of \$185,494.90 inc. GST to design and construct a turn-key LED lighting installation to the Lynches Road Netball Courts, Armidale.
- b) Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$325,000.00 (exc. GST) available for the project as approved by the Administrating Agency (NSW Office of Sport)
- c) Delegate authority to the General Manager to execute all documents in relation to the Contract.
- d) Investigates ways to maximise utilisation of the funding for the benefit of the community and the project.

Moved Cr Robinson

Seconded Cr Galletly

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

### 15.3 Engagement of Contractor - Armidale Regional Airport Airside Stormwater Upgrades

Ref: AINT/2022/01062 (ARC21/4975)

33/22

#### RESOLVED

That Council:

- a. Accept the tender submitted by Bedrule Pty Ltd T/A TOBCO of \$394,537.00 incl. GST for the construction of airside stormwater upgrades at Armidale Regional Airport;
- b. Delegate authority to the General Manager to approve expenditure up to the upper limit of \$421,793.75 excl. GST in line with remaining project budget; and
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr McMichael

Seconded Cr O'Connor

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

**15.4 Armidale Court House**

*Ref: AINT/2022/01344 (ARC18/2692-3)*

34/22

**RESOLVED**

That:

- a) The General Manager seek an extension of one year to consider the offer.
- b) A Working Group of Councillors and relevant staff (at the discretion of the General Manager) be established to oversee, develop or review business cases for prospective use(s) of the Armidale Court House.

**Moved Cr Coupland**

**Seconded Cr O'Connor**

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

**15.5 Engagement of Contractor - RFT A2022-02 - Bitumen Reseal and Asphalt program for ARC 2021-22**

*Ref: AINT/2022/01458 (ARC22/5000)*

35/22

**RESOLVED**

That Council:

- a) Accept the tender submitted by Roadwork Industries Pty Ltd for \$2,611,448.40 Incl. GST to complete the bitumen resealing and asphalt resurfacing program at various locations across the ARC LGA.
- b) Delegate authority to the General Manager to approve expenditure up to the contract value of \$2,611,448.40 Incl. GST
- c) Delegate authority to the General Manager to execute all documents in relation to the Contract.

**Moved Cr Galletly**

**Seconded Cr Gaddes**

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

There being no further business the Chair declared the meeting closed at 5:13pm.