



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 28 April 2021

4pm

at

Guyra Council Chamber

PRESENT: Councillor Ian Tiley (Mayor), Councillor Debra O'Brien (Deputy Mayor), Councillor Peter Bailey, Councillor Andrew Murat, Councillor Margaret O'Connor, Councillor Dorothy Robinson.

IN ATTENDANCE: Mr James Roncon (General Manager), Mr John Rayner (Financial Controller/Temporary Advisor), Mr Scot MacDonald (Director Businesses & Services), Ms Marissa Racemelara (Acting Director Organisational & Corporate Services), Ms Kelly Stidworthy (Manager Financial Services), Mr Ambrose Hallman (Manager Development and Regulatory Services), Ms Stacey Drew (Executive Policy Advisor), Ms Jessica Bower (Executive Officer) and Ms Hayley Ward (Executive Officer).

MINUTES

Index

1. CIVIC AFFIRMATION	
2. ACKNOWLEDGEMENT OF COUNTRY	
3. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS	
4. APOLOGIES	
5. APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
6. DISCLOSURES OF INTEREST)	
7. CONFIRMATION OF MINUTES	
Ordinary Council - 24 March 2021	6
8. MAYORAL MINUTE	
8.1 Mayoral Minute: Honour Board - local Order of Australia Recipients and Affiliates – Armidale War Memorial Library	6
12.16 DA-116-2018/D - Motel Development - (Modification Requesting Deletion of Condition 25A)	7
12.15 Approval of Development Application DA-125-2020 at 156-160 and 162 Bradley Street, Guyra, for a Centre-Based Child Care Facility and associated works.....	7
9. NOTICES OF MOTION	
9.1 Coffee Vans Policy.....	8
10. LEADERSHIP FOR THE REGION	
10.1 Integrated Planning and Reporting - Delivery Program 2018-2022 and Operational Plan 2020-2021 Progress Report - Second Quarter.....	8
10.2 Rescinding a selection of Council Policies.....	8
10.3 Asset Management Policy - Draft for Public Exhibition	9
10.4 Council Meeting Cycle for Ordinary Meetings for 2021-2022	9
11. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT	
11.1 FOR INFORMATION: Cash and Investment report 31 March 2021	10
11.2 Corporate Banner and Pole Sponsorship - Draft for Public Exhibition	10
11.3 Rates Harmonisation Implementation	10
11.4 Armidale City Gymnastics Club - Request for Loan Guarantee.....	11
11.5 Recommendation to Accept Armidale First National as the preferred supplier for marketing and sale of Armidale Airside Business Park Lots, as per GM Delegation AINT/2021/01037	11
11.6 FOR INFORMATION: Engagement of Contractor - Kempsey Road Big Hill Big Slip Restoration - Natural Disaster Recovery Works (Contract A2021/17)	12

12. ENVIRONMENT AND INFRASTRUCTURE

12.1	FOR INFORMATION: Council's Role as an Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997	12
12.2	Adoption of the Burning of Vegetation within the Local Government Area Policy	13
12.3	Traffic Control Services - Tender response	13
12.4	Draft Koala Management Strategy for Public Submission	13
12.5	Adoption of Keeping of Animals (Urban Areas) Policy	14
12.6	Adoption of Development Related Security Policy	14
12.7	Adoption of Public Parking Policy	14
12.8	Adoption of Domestic Rainwater Tanks Policy	15
12.9	Adoption of Relocation of Buildings Policy	15
12.10	Adoption of Treatment of Feral and Inland Animals Policy	15
12.11	Guyra Main Street Upgrade - Project Update	16
12.12	Kempsey Road Slope Analysis Contractor Engagement - Natural Disaster Recovery Works	16
12.13	Independent Peer Review of DA-125-2020	17
12.14	Purchase of Truck Mounted Combination Vacuum Jetting Machine	17
12.17	Local Roads and Community Infrastructure Program Phase 2 - Reallocation of a Project Nomination	18
12.18	Regional Landfill: Electrical Power Supply Line Contract	18

13. OUR PEOPLE AND COMMUNITY

13.1	Review of Council Grants and Sponsorship Programs	19
13.2	NSW Disaster Assistance C.3 - Funding to support Backtrack large scale clean-up operations in Lower Creek	20
13.3	Public Art Policy - Draft for Public Exhibition	20

14. REQUESTS FOR LEAVE OF ABSENCE

15. AUTHORITY TO AFFIX COUNCIL SEAL

16. COMMITTEE REPORTS

16.1	Minutes - New England Weeds Authority	21
16.2	Minutes - Traffic Advisory Committee Meeting held 6 April 2021	21
16.3	Community Wellbeing Committee - Minutes of the meeting held 25 March 2021	22
16.4	Economic Development Committee Meeting Minutes - Meeting held 29th March 2021	22
16.5	FOR INFORMATION: Environmental Sustainability Advisory Committee Meeting Minutes	23
16.6	Minutes of Sports Council Committee meeting held 7 April 2021	24

17. MATTERS OF AN URGENT NATURE

18. QUESTIONS ON NOTICE

19. CLOSED SESSION

19.1	Correspondence in relation to Code of Conduct Outcome	26
------	---	----

As this report deals with matters affecting the security of the Council, councillors, Council staff or Council property (Section 10A(2)(f) Local of the Government Act 1993).

19.2 General Manager's Performance Agreement.....26

As this report deals with matters affecting the security of the Council, councillors, Council staff or Council property (Section 10A(2)(f) Local of the Government Act 1993).

1. **CIVIC AFFIRMATION**
Cr Robinson
2. **ACKNOWLEDGEMENT OF COUNTRY**
Cr Murat
3. **STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS**
4. **APOLOGIES**

146/21

RESOLVED:

That the apology from Cr Galletly be accepted.

Moved Cr Robinson

Seconded Cr O'Brien

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

5. **APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
Nil.

6. DISCLOSURES OF INTEREST)

Name	Item	Nature of Interest	Reason/Intended Action
Cr Tiley	19.1	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Intended action: Leave Chamber
Cr O'Brien	19.1	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Intended action: Leave Chamber

7. CONFIRMATION OF MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 MARCH 2021

147/21

RESOLVED:

That the minutes be taken as read and be accepted as a true record of the Meeting.

Moved Cr Murat

Seconded Cr O'Brien

The Motion on being put to the vote was CARRIED.

8. MAYORAL MINUTE

8.1 Mayoral Minute: Honour Board - local Order of Australia Recipients and Affiliates – Armidale War Memorial Library *Ref: AINT/2021/11034 (ARC16/0025)*

148/21

RESOLVED:

- a. That if the grant application noted in the report is unsuccessful, the Mayor will contribute as a personal donation up to \$1000 to the Order of Australia Association New England North West Branch, for the acquisition and inscribing of an Honour Board for local Order of Australia Recipients and Affiliates; and
- b. That Council staff install the Honour Board at the Armidale War Memorial Library.

Moved Cr Tiley

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

SUSPENSION OF STANDING ORDERS

149/21

RESOLVED:

That Council suspend Standing Orders to consider Items 12.15 and 12.16.

Moved Cr O'Brien

Seconded Cr Robinson

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

12.16 DA-116-2018/D - Motel Development - (Modification Requesting Deletion of Condition 25A)

Ref: AINT/2021/10621 (DA-116-2018/D)

Moved Cr Murat Seconded Cr Tiley

That Council having regard to the assessment of DA-116-2018/D refuse the Applicant's request for the waiver of the Developer Services Plan charges for the development at 141 Dumaresq Street, Armidale .

AMENDMENT:

Moved: Cr Robinson Seconded: Cr O'Connor

That the matter be deferred to the next Ordinary Council meeting.

DIVISION The result being:-

FOR: Crs P Bailey, D O'Brien, M O'Connor and D Robinson

AGAINST: Crs A Murat and I Tiley

The Mayor declared the Amendment CARRIED.

150/21

RESOLVED:

That the matter be deferred to the next Ordinary Council meeting.

DIVISION The result being:-

FOR: Crs P Bailey, A Murat, D O'Brien, M O'Connor and D Robinson

AGAINST: Cr I Tiley

The Mayor declared the Motion CARRIED.

12.15 Approval of Development Application DA-125-2020 at 156-160 and 162 Bradley Street, Guyra, for a Centre-Based Child Care Facility and associated works

Ref: AINT/2021/07661 (DA-125-2020)

151/21

RESOLVED:

That Council defer the motion to the 26 May Ordinary Council meeting.

Moved: Cr O'Connor Seconded: Cr Robinson

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

9. NOTICES OF MOTION

9.1 Coffee Vans Policy

Ref: AINT/2021/07958 (ARC16/0025)

152/21

RESOLVED:

That the GM be requested to develop a policy for the deployment of coffee and food vans at various events and locations in the LGA where a need or market is demonstrated and there is no safe and/or practicable fixed outlet for coffee and food of a similar type.

Moved Cr O'Connor

Seconded Cr Robinson

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

10. LEADERSHIP FOR THE REGION

**10.1 Integrated Planning and Reporting - Delivery Program 2018-2022 and
Operational Plan 2020-2021 Progress Report - Second Quarter**

Ref: AINT/2021/07449 (ARC19/3619)

153/21

RESOLVED:

That Council note the Delivery Program 2018-2021 and Operational Plan 2020-2021 Progress Report (Second Quarter).

Moved Cr Bailey

Seconded Cr Murat

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

10.2 Rescinding a selection of Council Policies

Ref: AINT/2021/09666 (ARC17/1770)

154/21

RESOLVED:

That Council endorse 22 policies to be rescinded as outlined in the report.

Moved Cr O'Connor

Seconded Cr Murat

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

10.3 Asset Management Policy - Draft for Public Exhibition

Ref: AINT/2021/10093 (ARC17/2177-6)

155/21

RESOLVED:

That Council:

- a. Endorse the updated Asset Management Policy for public exhibition for a period of 28 days.
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr O'Connor

Seconded Cr Murat

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

10.4 Council Meeting Cycle for Ordinary Meetings for 2021-2022

Ref: AINT/2021/11022 (ARC16/0620)

156/21

RESOLVED:

- a. That the Ordinary Council Meeting cycle for the 2021-2022 financial year up until the 2021 NSW Local Government Election be scheduled for the fourth Wednesday of each month as follows:
 - Wednesday 28 July 2021, in Guyra
 - Wednesday 25 August 2021, in Armidale.
- b. That the time for the Ordinary Council meetings to commence is 4pm.

Moved Cr O'Brien

Seconded Cr Murat

DIVISION The result being:-

FOR: Crs P Bailey, A Murat, M O'Connor, D Robinson and I Tiley

AGAINST: Cr D O'Brien

The Motion on being put to the vote was CARRIED.

11. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

FOR INFORMATION: 11.1 Cash and Investment report 31 March 2021*Ref: AINT/2021/10114 (A*

157/21

RESOLVED:

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

Moved Cr Murat

Seconded Cr O'Connor

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

11.2 Corporate Banner and Pole Sponsorship - Draft for Public Exhibition

Ref: AINT/2021/10623 (ARC17/1764)

158/21

RESOLVED:

That Council:

- a. Endorse the draft Corporate Banner and Pole Sponsorship Policy for public exhibition for a period of 28 days commencing on Monday 3 April.
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Murat

Seconded Cr O'Connor

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

11.3 Rates Harmonisation Implementation

Ref: AINT/2021/10666 (ARC19/3336)

159/21

RESOLVED:

That Council endorse the proposed rates harmonisation implementation framework outlined in this report for use in the draft 2021/22 budget.

Moved Cr Murat

Seconded Cr O'Connor

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

11.4 Armidale City Gymnastics Club - Request for Loan Guarantee

Ref: AINT/2021/10673 (ARC16/0083-2)

160/21

RESOLVED:

That Council:

- a. Give public notice for a period of 28 days in accordance with section 356 of the *Local Government Act 1993* of Council's intention to act as Guarantor for Armidale City Gymnastics Club for a \$150,000 loan in accordance with the terms outlined in this report; and
- b. A further report be presented back to Council following the conclusion of the public notice period to address any matters raised during the exhibition period.
- c. That Council require a business and financial plan from the Gymnastics Club.

Moved Cr Murat

Seconded Cr O'Connor

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

11.5 Recommendation to Accept Armidale First National as the preferred supplier for marketing and sale of Armidale Airside Business Park Lots, as per GM Delegation AINT/2021/01037

Ref: AINT/2021/10934 (ARC21/4525)

161/21

RESOLVED:

That Council:

- a. Accept a tender to provide marketing and sales support for sale Armidale Airside Business Park Lots in accordance with GM delegation AINT/2021/01037, as per a Tender received from Armidale First National Real Estate, in conjunction with Cushman Wakefield (Sydney) on the 29th March 2021.
- b. Delegates the GM the authority to negotiate terms, timeframes, reporting and review processes involved with this appointment.

Moved Cr Murat

Seconded Cr O'Connor

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

FOR INFORMATION: 11.6 Engagement of Contractor - Kempsey Road Big Hill Big Slip Restoration - Natural Disaster Recovery Works (Contract A2021/17) Ref: AINT/2021/11595 (ARC21/4539)

162/21

RESOLVED:

That Council:

- a. Accept the tender submitted by Ground Stabilisation Systems Pty Ltd of \$725,014.37 including GST (\$659,103.97 ex GST) for Kempsey Road Big Hill Big Slip Restoration Works.
- b. Delegate authority to the General Manager to approve variations to a maximum of \$885,396.03 excluding GST to the upper project limit of \$1,524,500 excluding GST that is available for the project as approved by the Administrating Agency (TfNSW).
- c. Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Murat

Seconded Cr O'Connor

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

12. ENVIRONMENT AND INFRASTRUCTURE

FOR INFORMATION: 12.1 Council's Role as an Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997 Ref: AINT/2021/07441 (ARC16/0553)

163/21

RESOLVED:

That Council note its role as the Appropriate Regulatory Authority delegated to it by the NSW EPA under Section 6 of the *Protection of the Environment Operations Act 1997*, in relation to possible regulatory breaches of NSW Environmental Legislation within the Local Government Area.

Moved Cr O'Brien

Seconded Cr O'Connor

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

12.2 Adoption of the Burning of Vegetation within the Local Government Area Policy

Ref: AINT/2021/07454 (ARC17/1888)

164/21

RESOLVED:

That Council adopt the Burning of Vegetation within the Local Government Area Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.3 Traffic Control Services - Tender response

Ref: AINT/2021/08358 (ARC16/0140-8)

165/21

RESOLVED:

That Council:

- a. Accept the submission of both DOB Enterprises and Ahoy Traffic Control in order of preference found in the tender evaluation and decline all other submissions.
- b. Commence the use of this Tender panel following completion of Council's current Traffic Control Services Tender on 2 February 2022.

Moved Cr Murat

Seconded Cr O'Connor

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

12.4 Draft Koala Management Strategy for Public Submission

Ref: AINT/2021/09712 (ARC20/4183)

166/21

RESOLVED:

That Council endorse the draft Koala Management Strategy for public exhibition for a minimum of 28 days, commencing 30 April.

Moved Cr O'Connor

Seconded Cr Robinson

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

12.5 Adoption of Keeping of Animals (Urban Areas) Policy

Ref: AINT/2021/09928 (ARC17/1865)

167/21

RESOLVED:

That Council adopt the Keeping of Animals (Urban Areas) Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.6 Adoption of Development Related Security Policy *Ref: AINT/2021/10002 (ARC17/1786)*

168/21

RESOLVED:

That Council adopt the Development Related Security Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.7 Adoption of Public Parking Policy

Ref: AINT/2021/10024 (ARC16/1207)

169/21

RESOLVED:

That Council adopt the Public Parking Policy.

Moved Cr O'Brien

Seconded Cr O'Connor

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

12.8 Adoption of Domestic Rainwater Tanks Policy *Ref: AINT/2021/10025 (ARC17/1787)*

170/21

RESOLVED:

That Council adopt the Domestic Rainwater Tanks Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.9 Adoption of Relocation of Buildings Policy *Ref: AINT/2021/10026 (ARC17/1787)*

171/21

RESOLVED:

That Council adopt the Relocation of Buildings Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.10 Adoption of Treatment of Feral and Infant Animals Policy

Ref: AINT/2021/10027 (ARC21/4479)

172/21

RESOLVED:

That Council adopt the Treatment of Feral and Infant Animals Policy.

Moved Cr Murat

Seconded Cr O'Connor

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

12.11 Guyra Main Street Upgrade - Project Update

Ref: AINT/2021/10065 (ARC17/1518)

173/21

RESOLVED:

That Council:

- a. Note the status of the Guyra Main Street Project.
- b. Endorse Project Management Office (PMO) and Public and Town Spaces' recommendation to remove nine existing trees along Bradley Street and replace with up to 20 suitable established trees.

Moved Cr Murat

Seconded Cr O'Connor

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

**12.12 Kempsey Road Slope Analysis Contractor Engagement - Natural Disaster
Recovery Works**

Ref: AINT/2021/10151 (ARC21/4497)

174/21

RESOLVED:

That Council

- a. Accept the tender submitted by GHD Pty Ltd of \$200,818.18 ex GST for the Kempsey-Armidale Road Slope Analysis.
- b. Delegate authority to the General Manager to approve any additional scope of works, in the way of a variation to this contract, up to the maximum value of \$100,000.00 ex GST.
- c. Authorise the General Manager to approve expenditure within the contingency figure of \$100,000.
- d. Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Murat

Seconded Cr O'Connor

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

12.13 Independent Peer Review of DA-125-2020

Ref: AINT/2021/10155 (DA-125-2020)

175/21

RESOLVED:

That Council:

- a. Note the peer review advice provided by Inverell Shire Council on DA-125-2020 at 156-160 and 162 Bradley Street, Guyra, for the Centre-Based Child Care Facility and associated works;
- b. Formally thank Inverell Shire Council for their assistance in undertaking this peer review.
- c. Proceed to endorse deferred Item 12.08 within this agenda.

Moved Cr Murat

Seconded Cr O'Connor

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

12.14 Purchase of Truck Mounted Combination Vacuum Jetting Machine

Ref: AINT/2021/10442 (ARC21/4510)

176/21

RESOLVED:

That Council:

- a. Approve the purchase of one used Hino Cab / Chassis complete with a Bell Mounted Combination Vacuum Jetting Machine from Bell Environmental in the amount of \$385,000 including GST.
- b. Approve the sale of a 2013 UD Nissan MK Cab / Chassis (Plant Number 2430) used as a Sewer Rodding Truck to Pickles Auction under State Government Contract for an estimated value of \$50,000.
- c. Approve the sale of a Myers Skid (Plant Number 2431) on Sewer Rodding Machine to Pickles Auction under State Government Contract for an estimated value of \$10,000.

Moved Cr Murat

Seconded Cr O'Connor

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

12.17 Local Roads and Community Infrastructure Program Phase 2 - Reallocation of a Project Nomination

Ref: AINT/2021/10981 (ARC20/4278)

177/21

RESOLVED:

That Council requests the Federal Department of Infrastructure, Transport, Regional Development approve a variation of the funds nominated (\$225,000) for the proposed Nature Playground in the second phase of the Local Roads and Community Infrastructure program to the following projects:

- a. Monkton Aquatic Centre – \$35,000 - electrical upgrade (supplement to the Heat pump project)
- b. Building and facility renewals - \$190,000 – Hillgrove Hall, Guyra HACC Building, Former Guyra Courthouse, Puddledock Hall, Dangarsleigh Hall

Moved Cr Murat

Seconded Cr O'Connor

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

12.18 Regional Landfill: Electrical Power Supply Line Contract

Ref: AINT/2021/11508 (ARC21/4465)

178/21

RESOLVED:

That Council:

- a. Accept the tender from Reg Latter Electrical Pty Ltd for the design and construction of an electrical power supply line into the regional landfill for the sum of \$118,255.50 including GST.
- b. Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Murat

Seconded Cr O'Connor

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

13. OUR PEOPLE AND COMMUNITY

13.1 Review of Council Grants and Sponsorship Programs

Ref: AINT/2021/10687 (ARC17/2360)

179/21

RESOLVED:

That Council:

- a. Action the following Recommendations from the Review of Council Grants and Sponsorship Programs report:
 1. Details of the grant and sponsorship program area and their value be included in the relevant sections of the Annual Operational Plan including Budget and Resourcing Strategy
 2. Annual Grant and Sponsorship Guidelines should be submitted to Council for endorsement prior to programs opening.
 3. That a Grants and Sponsorships policy be developed that incorporates all prior subsidies and waivers to ensure all costs are captured in compliance with section 356 of the *Local Government Act 1993*, including consideration by Council.
 4. Review the need for memberships of the following regional bodies:
 - New England Joint Organisation (NEJO)
 - Local Government NSW (LGNSW)
 - Regional Cities NSW
 - Country Mayors
 - Project Zero30
- b. Note the remaining operational recommendations contained the Review of Council Grants and Sponsorship Programs and action these in accordance with the proposed roadmap.
- c. Approve payment of the 2020/21 contributions (ex GST where applicable) to the following community groups:
 1. Armidale Neighbourhood Centre \$20,000
 2. New England Regional Art Museum (NERAM) \$182,223 (remaining 50%)
 3. New England Conservatorium of Music (NECOM) \$4,250 (remaining 50%)
 4. Aboriginal Cultural Centre & Keeping Place Inc \$18,000 (remaining 50%)

Moved Cr O'Brien

Seconded Cr Robinson

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

13.2 NSW Disaster Assistance C.3 - Funding to support Backtrack large scale clean-up operations in Lower Creek

Ref: AINT/2021/10778 (ARC20/4223)

180/21

RESOLVED:

That Council:

- a. Give public notice for a period of 28 days in accordance with section 356 of the *Local Government Act 1993* of its intention to assist Backtrack with \$5,700 of Council funding for the purpose of assisting with their volunteer efforts to repair damaged fences and property, post bushfires in the Lower Creek area;
- b. A further report be presented back to Council following the conclusion of the public notice period to address any matters raised during the exhibition period; and
- c. Endorse the application to Resilience NSW for reimbursement of these funds (100%) from the Disaster Assistance C.3 funding for Backtracks "basecamp" accommodation and consumable costs.

Moved Cr Murat

Seconded Cr Bailey

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

13.3 Public Art Policy - Draft for Public Exhibition

Ref: AINT/2021/10805 (ARC18/2995)

181/21

RESOLVED:

That Council:

- a. Endorse the draft Public Art Policy for public exhibition for a period not less than 28 days; and
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Murat

Seconded Cr Bailey

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

14. REQUESTS FOR LEAVE OF ABSENCE

Nil.

15. AUTHORITY TO AFFIX COUNCIL SEAL

Nil.

16. COMMITTEE REPORTS

16.1 Minutes - New England Weeds Authority

Ref: AINT/2021/08269 (ARC16/0463-2)

182/21

RESOLVED:

That Council note the Minutes of the New England Weeds Authority meeting held on 20 October 2020 and 9 March 2021.

Moved Cr O'Connor

Seconded Cr Murat

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

16.2 Minutes - Traffic Advisory Committee Meeting held 6 April 2021

Ref: AINT/2021/10486 (ARC16/0168-6)

183/21

RESOLVED:

That Council:

- a. Note the Minutes of the Traffic Advisory Committee meeting held on 6th April 2021.
- b. Endorse the road closure of Faulkner Street between Kirkwood and Dumaresq Street during the Big Chill Beer & BBQ Festival from 12am Saturday 15 May until 10pm Sunday 16 May.
- c. Deny the request to consider a pedestrian crossing on Barney Street at the Faulkner Intersection, with the advice from TfNSW that there are crossings at the intersection with Barney and Marsh St at the lights and a pedestrian refuge at Barney, Dangar intersection, both within 200m of the requested location.
- d. Endorse the Police request to shift the 15 minute car parking space to the northern end of Faulkner Street grouping the existing police parking spaces together.
- d. Note that specified line marking requested for the Police parking in Faulkner Street will be at a cost to Police.

Moved Cr Murat

Seconded Cr Bailey

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

16.3 Community Wellbeing Committee - Minutes of the meeting held 25 March 2021

Ref: AINT/2021/11032 (ARC16/1052)

184/21

RESOLVED:

That the Minutes of the Community Wellbeing Committee meeting held on 25 March 2021 be noted.

Moved Cr Murat

Seconded Cr Bailey

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

16.4 Economic Development Committee Meeting Minutes - Meeting held 29th March 2021.

Ref: AINT/2021/11041 (ARC19/3530)

185/21

RESOLVED:

That the Minutes of the Economic Development Committee meeting held on 29 March 2021 be noted.

Moved Cr Murat

Seconded Cr Bailey

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

FOR INFORMATION: 16.5 Environmental Sustainability Advisory Committee

Meeting Minutes

Ref: AINT/2021/11461 (ARC16/0864)

186/21

RESOLVED:

That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 13 April be noted.

That the following recommendations of the Committee be considered by Council:

- a. That two representatives from the Environmental Sustainability Advisory Committee meet with Council staff to undertake a detailed analysis of EcoARC (Council's Green – print) to determine how some of the actions and recommendations could be undertaken in alignment with the Community Strategic Plan. This would include determining short, medium and long term initiatives to develop a ten (10) year implementation plan.
- b. That the resignation of Sustainable Living Armidale member Jo Leoni be acknowledged and that Sustainable Living Armidale member Helen Webb be substituted onto the committee in her place.
- c. That two representatives from the Climate Emergency Working Group report meet with Council staff regarding items from their report *A Framework for Climate Action* and recommendations from the report being funding into the 2021/2022 budget.
- d. That applications for the Air Quality Working Group be assessed by a panel of two members of the Environmental Sustainability Advisory Committee and Councils Sustainability Officer.
- e. That two representatives of the Climate Emergency Working Group meet with Council staff to discuss possible projects in order to the join the Cities Power Partnership.

Moved Cr Robinson

Seconded Cr O'Connor

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

16.6 Minutes of Sports Council Committee meeting held 7 April 2021

Ref: AINT/2021/11475 (ARC16/0330)

187/21

RESOLVED:

That the Minutes of the Sports Council Committee meeting held on 7 April 2021 be noted and they include:

- a. That the Committee recommended to Council that the proposed additional user fees in excess of the current fees and charges not be charged for regional level fields – Harris Park, Armidale Sportsground and Rologas/Wicklows fields.
- b. That the committee urges the Council to seek Commonwealth and/or State funding for field lighting at Jack Valance Oval and for the replacement and extension of the lighting on Newling Oval.
- c. That the Committee recommended that Council arrange for refurbishing of the Jack Valance oval surface when a budget is available.
- d. That the committee recommend to Council that capital income for next year's budget is restored to at least the level of 2019/20 of \$75,000.
- e. That the committee recommended to Council that a total of \$117,000 be referred to the budget process for consideration in the 2021/22 budget.

Moved Cr Murat

Seconded Cr Bailey

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

17. MATTERS OF AN URGENT NATURE

Cr O'Connor requested a matter to be heard. The Chair heard the request as outlined below and ruled the matter not to be of an urgent nature.

"That Council makes a submission, by the closing date of May 7, on the NSW draft Clean Air Strategy, requesting funds for firewood moisture meters and a demonstration project in Armidale City to identify the costs and benefits of heating and home insulation options for our climate and collate and present case studies."

18. QUESTIONS ON NOTICE

Nil.

MOTION

188/21 **RESOLVED:**

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

- 19.1 Correspondence in relation to Code of Conduct Outcome. (AINT/2021/11352) - *As this report deals with matters affecting the security of the Council, councillors, Council staff or Council property (Section 10A(2)(f) Local of the Government Act 1993).*
- 19.2 General Manager's Performance Agreement. (AINT/2021/12223) - *As this report deals with matters affecting the security of the Council, councillors, Council staff or Council property (Section 10A(2)(f) Local of the Government Act 1993).*

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 Robinson

Seconded Cr Murat

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

Council entered Closed Session at 4.48pm.

Council returned to Open Session at 5.15pm.

RESUMPTION OF MEETING

189/21 **RESOLVED:**

That the recommendations of Closed Session be adopted.

Moved Cr Murat

Seconded Cr Bailey

DIVISION The result being:-

FOR: Crs P Bailey, A Murat, and I Tiley

AGAINST: Crs D O'Brien, D Robinson and M O'Connor

The motion was CARRIED on the casting vote of the Mayor.

19. CLOSED SESSION

19.1 Correspondence in relation to Code of Conduct Outcome

Ref: AINT/2021/11352 (ARC18/2692-2)

190/21

RESOLVED:

That Council note the two correspondence items received from the Office of Local Government in relation to the Code of Conduct matters.

19.2 General Manager's Performance Agreement

Ref: AINT/2021/12223 (ARC18/2692-2)

191/21

RESOLVED:

That Council note the attached General Manager's Performance Agreement.

There being no further business the Chair declared the meeting closed at 5.16pm.