



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 24 May 2023

4pm

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor via Zoom), Councillor Todd Redwood (Deputy Mayor), 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 (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), Mr Rick Mickerts (Manager Regulatory Services), Mr Mark Byrne (Manager Utilities), Ms Simone Mooketsi (Manager Governance and Strategy), Ms Michaella Giandomenico (Executive Officer) and Ms Melissa Hoult (Executive Officer).

MINUTES

Index

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY	
2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS	
3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
4. DISCLOSURES OF INTEREST	
5. CONFIRMATION OF MINUTES	
5.1 Minutes of Previous Meeting held 26 April 2023	4
6. MAYORAL MINUTE	
7. REPORTS - GENERAL MANAGER'S OFFICE	
7.1 Council Actions Report January 2022 - April 2023	4
8. REPORTS - FINANCE	
8.1 Cash and Investment Report 28 February 2023	5
8.2 Cash and Investment Report 31 March 2023	5
9. REPORTS - PLANNING AND ACTIVATION	
9.1 Swimming Pool Barrier Inspection Program	5
10. REPORTS - CORPORATE AND COMMUNITY	
10.1 Privacy Management Plan for review	5
10.2 Appointment of Code of Conduct Review Panel	6
10.3 2022-2023 Annual Report of the Audit, Risk and Improvement Committee	6
11. REPORTS - ASSETS AND SERVICES	
12. NOTICES OF MOTION	
12.1 Armidale Regional Council acknowledges that Armidale Regional Council sits on the lands of the Anaiwan, Banbai and Dunghutti People.	7
13. COMMITTEE REPORTS	
13.1 Access Advisory Committee- Minutes of meeting held 20 April 2023	8
13.2 Traffic Advisory Committee - Minutes of the meeting held Tuesday 2 May 2023	9
14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN	
15. CLOSED SESSION	
15.1 Engagement of Contractor - Construction of Taylor Street New Shared Path - Mann to Kentucky	11

(General Manager's Note: 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 Airport Security Screening - Establishment of a Third Terminal Departure Gate for Operational Use11

(General Manager's Note: The report considers Armidale Regional Airport 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).

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr Galletly 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 Minutes of Previous Meeting held 26 April 2023 *Ref: AINT/2023/09087 (ARC16/0001-8)*

49/23

RESOLVED

That the Minutes of the Ordinary Council meeting held on 26 April 2023 be taken as read and accepted as a true record of the meeting.

Moved Cr McMichael

Seconded Cr Gaddes

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

6. MAYORAL MINUTE

Nil.

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Council Actions Report January 2022 - April 2023 *Ref: AINT/2023/09089 (ARC16/0001-8)*

50/23

RESOLVED

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

Moved Cr Robinson

Seconded Cr McMichael

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

8. REPORTS - FINANCE

8.1 Cash and Investment Report 28 February 2023 *Ref: AINT/2023/04614 (ARC20/4311)*

51/23

RESOLVED

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

Moved Cr Galletly **Seconded Cr Widders**

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

8.2 Cash and Investment Report 31 March 2023 *Ref: AINT/2023/08552 (ARC16/0001-8)*

52/23

RESOLVED

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

Moved Cr Gaddes **Seconded Cr Widders**

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

9. REPORTS - PLANNING AND ACTIVATION

9.1 Swimming Pool Barrier Inspection Program *Ref: AINT/2023/08649 (ARC23/5623)*

53/23

RESOLVED

That Council adopt the Swimming Pool Barrier Inspection Program policy.

Moved Cr Galletly **Seconded Cr O'Connor**

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

10. REPORTS - CORPORATE AND COMMUNITY

10.1 Privacy Management Plan for review *Ref: AINT/2023/08584 (ARC21/4470)*

54/23

RESOLVED

- a. That council endorse the Privacy Management Plan (attached) to be placed on public exhibition for a period of 28 days commencing Monday 29 May 2023 and concluding 26 June 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.

Moved Cr Widders **Seconded Cr Robinson**

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

10.2 Appointment of Code of Conduct Review Panel *Ref: AINT/2023/08744 (ARC23/5728)*

55/23

RESOLVED

That Council appoint a Code of Conduct Review Panel for a period of four years consisting of:

- Centium Pty Limited
- Mediate Today Pty Limited
- Moray & Agnew
- Nemesis Consultancy Group
- Noble Shore Pty Ltd
- O'Connor Marsden & Associates
- Pendlebury Workplace Law
- Pinnacle People Solutions Pty Ltd
- Redenbach Legal
- Redshift Consulting Pty Ltd
- SINC Solutions Pty Ltd
- WEIR Consulting Pty Ltd
- Winton Consulting Pty Ltd.

Moved Cr Widders

Seconded Cr Galletly

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

10.3 2022-2023 Annual Report of the Audit, Risk and Improvement Committee

Ref: AINT/2023/08977 (ARC23/5778)

56/23

RESOLVED

That Council note the content of the ARIC Annual Report and request the chair of ARIC to present the report to Council prior to the next ARIC general meeting.

Moved Cr Packham

Seconded Cr O'Connor

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

11. REPORTS - ASSETS AND SERVICES

Nil.

12. NOTICES OF MOTION

12.1 Armidale Regional Council acknowledges that Armidale Regional Council sits on the lands of the Anaiwan, Banbai and Dunghutti People.

Ref: AINT/2023/09120 (ARC16/0025-7)

MOTION

I hereby give notice of my intention to move the following motion at the Ordinary Council to be held on 24 May 2023.

That Armidale Regional Council erect signs at the council boundaries acknowledging that Armidale Regional Council sits on the lands of the Anaiwan, Banbai and Dunghutti people, based on all credible available evidence, noting that if a Native Title determination is made, for example with the current Gomeroi land claim still under determination, that the signs be changed to reflect any and all determinations.

Moved Cr Widders

Seconded Cr Packham

CR COUPLAND FORESHADOWED A MOTION

DIVISION The result being:-

FOR: Cr B Widders

AGAINST: Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, M O'Connor, P Packham, T Redwood and D Robinson

The Chair declared the Motion LOST.

FORESHADOWED MOTION

Armidale Regional Council to erect signs on or within the LGA boundary that acknowledge the traditional custodians. Consultation with the community is to be undertaken to determine appropriate wording.

Moved Cr Coupland

Seconded Cr O'Brien

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, M O'Connor, P Packham, T Redwood and D Robinson

AGAINST: Cr B Widders

The Foreshadowed Motion on being put to the vote was CARRIED

57/23

RESOLVED

Armidale Regional Council to erect signs on or within the LGA boundary that acknowledge the traditional custodians. Consultation with the community is to be undertaken to determine appropriate wording.

Moved Cr Coupland Seconded Cr O'Brien

The Motion on being put to the vote was CARRIED

13. COMMITTEE REPORTS

13.1 Access Advisory Committee - Minutes of meeting held 20 April 2023

Ref: AINT/2023/08806 (ARC16/0524-3)

58/23

RESOLVED

That the Minutes of the Access Advisory Committee meeting held on 20 April 2023 be noted.

Moved Cr McMichael Seconded Cr Robinson

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

13.2 Traffic Advisory Committee - Minutes of the meeting held Tuesday 2 May 2023

Ref: AINT/2023/08545 (ARC16/0168-8)

58/23

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 2 May 2023", that Council:

- a) Endorse the use of Armidale Regional Council local roads only for the Austin Page College Coast Run 2023, in accordance with the submitted Traffic Management Plan, and subject to any special conditions required by NSW Police in the Section 40 approval.
That copies of the required approvals from Transport for NSW, Bellingen, Coffs Harbour and Clarence Valley Councils' for the use of respective roads under their management be provided to Council;
- b) That Council endorse the traffic management plan and the reduction of speed to 40km/h for Kentucky St between Faulkner St Armidale and Dangar St Armidale for the NSW Country Gymnastic Competition from Tuesday 4 July to Sunday 9 July 2023;
- c) Endorse the 10km/h and 25t Gross Load Limit on the bridge over Boundary Creek on Lyndhurst Road;
- d) Endorse the 10km/h and 14.5t max. Load Limit on the bridge over Boorolong Creek on Boorolong Road;
- e) Endorse the removal to 11t Load Limit and retain the 10km/h on the bridge over Laura Creek on Baldersleigh Road; and
- f) Endorse the 10km/h and 7.5t max Load Limit in the bridge over Two Mile Waters on Boorolong Rd.

Moved Cr McMichael

Seconded Cr Robinson

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

PROCEDURAL MOTION

59/23

RESOLVED

- a) That Council move into closed Session to receive and consider the following items:
 - 15.1 Engagement of Contractor - Construction of Taylor Street New Shared Path - Mann to Kentucky. (AINT/2023/07956) - (**General Manager's Note:** 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 Airport Security Screening - Establishment of a Third Terminal Departure Gate for Operational Use. (AINT/2023/08725) - (**General Manager's Note:** The report considers

Armidale Regional Airport 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).

- 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'Connor

Seconded Cr O'Brien

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

Council entered Closed Session at 4:57pm.

Council returned to Open Session at 5:54pm.

RESUMPTION OF MEETING

60/23

RESOLVED

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

Moved Cr Robinson

Seconded Cr O'Brien

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

15. CLOSED SESSION

**15.1 Engagement of Contractor - Construction of Taylor Street New Shared Path -
Mann to Kentucky**

Ref: AINT/2023/07956 (ARC23/5754)

61/23

RESOLVED

That Council;

- a) Accept the tender submitted by Conex Group Pty Ltd of \$264,536.00 Excl. GST to construct Taylor Street New Shared Path from Mann Street to Kentucky Street.
- b) Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$272,495 Excl. GST available for the project from Local Roads and Community Infrastructure Program Phase 3; and
- c) Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Galletly

Seconded Cr Gaddes

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, J Galletly, S McMichael, D O'Brien and T Redwood

AGAINST: Crs S Mephram, M O'Connor, P Packham, D Robinson and B Widders

The Chair declared the vote CARRIED

Cr Susan McMichael left the meeting, the time being 5:17 PM

Cr Debra O'Brien left the meeting, the time being 5:19 PM

Cr Debra O'Brien returned to the meeting, the time being 5:20 PM

Cr Susan McMichael returned to the meeting, the time being 5:20 PM

Cr Bradley Widders left the meeting, the time being 5:47 PM

Cr Bradley Widders returned to the meeting, the time being 5:48 PM

**15.2 Airport Security Screening - Establishment of a Third Terminal Departure Gate
for Operational Use**

Ref: AINT/2023/08725 (ARC20/4110)

62/23

RESOLVED

That Council endorse continued negotiation with airlines in relation to security screening.

Moved Cr McMichael

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 5:55pm.